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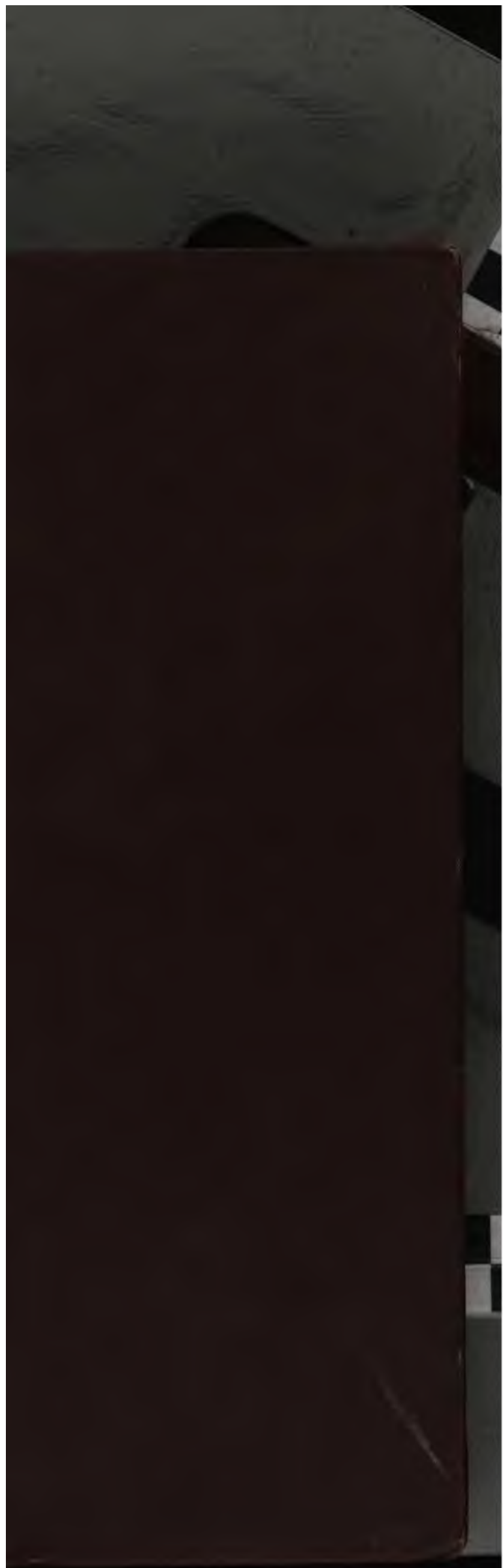
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SUPPLEMENT

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CONTENTS OF VOLUME FIVE

NUMBER 1, JANUARY, 1911.

	PAGE
FOURTH INTERNATIONAL AMERICAN CONFERENCE. General Record of Proceedings. <i>July 12-August 20, 1910</i>	1
GREAT BRITAIN-FRANCE. Agreement referring to arbitration the case of Vinayak Damodar Savarkar. <i>October 25, 1910</i>	37
CHINA. Imperial decree convening the Parliament. <i>November 4, 1910</i>	39
INTERNATIONAL MARINE CONFERENCE. Final Act. <i>December 31, 1889</i>	42
NOTE FROM THE MEMBERS OF THE ARBITRAL TRIBUNAL IN THE PIOUS FUND CASE TO THE NETHERLANDS MINISTER FOR FOREIGN AFFAIRS, making some suggestions as to the conduct of future arbitrations. <i>October 14, 1902</i> ..	74

NUMBER 2, APRIL, 1911.

BRAZIL-COLOMBIA. Treaty of commerce and river navigation. <i>August 21, 1908</i>	79
FRANCE. Decree establishing an office of foreign legislation and international law. <i>July 21, 1910</i>	83
GREAT BRITAIN-UNITED STATES. Arbitration treaty. <i>January 11, 1897</i> . (Unratified)	88
GREAT BRITAIN-UNITED STATES. Minutes of fisheries conferences. <i>January 12, 1911</i>	93
GREAT BRITAIN-UNITED STATES. Minutes of fisheries conferences. <i>January 14, 1911</i>	94
INTERNATIONAL PRIZE COURT CONVENTION. Additional protocol. <i>September 19, 1910</i> , and resolution of United States Senate, <i>February 15, 1911</i>	95
JAPAN-UNITED STATES. Treaty of commerce and navigation, with protocol and declaration. <i>February 21, 1911</i>	100
JAPAN-UNITED STATES. Treaty of commerce and navigation, with protocol. <i>November 22, 1894</i>	106
MEXICO-UNITED STATES. Convention for arbitration of Chamizal case. <i>June 24, 1910</i>	117

MEXICO-UNITED STATES. Supplementary protocol. <i>December 5, 1910</i>	120
MEXICO-UNITED STATES. Boundary convention. <i>March 1, 1889</i>	121
MEXICO-UNITED STATES. Article XXI of treaty of <i>February 2, 1848</i>	125
NETHERLANDS-GREAT BRITAIN. Convention renewing arbitration convention. <i>December 16, 1909</i>	125
NETHERLANDS-GREAT BRITAIN. Arbitration convention. <i>February 15, 1905</i> .	126
UNITED STATES. An Act to provide for purchase of embassy, legation and consular buildings. <i>February 17, 1911</i>	128
UNITED STATES. List of diplomatic officers. <i>March 20, 1911</i>	129
UNITED STATES. List of consular officers. <i>March 20, 1911</i>	133

NUMBER 3, JULY, 1911.

GREAT BRITAIN-AUSTRIA-HUNGARY. Arbitration convention. <i>July 16, 1910</i> .	161
GREAT BRITAIN-FRANCE. Convention in regard to workmen's compensation for accidents. <i>July 3, 1909</i>	162
GREAT BRITAIN-GERMANY. Convention for extradition between protectorates. <i>January 30, 1911</i>	165
INTERNATIONAL. Arrangement relative to the repression of the circulation of obscene publications. <i>May 4, 1910</i>	167
ITALY-ARGENTINE REPUBLIC. General arbitration treaty. <i>September 18,</i> <i>1907</i>	171
JAPAN. Law relating to land ownership by foreigners. <i>April 13, 1910</i>	175
JAPAN-GREAT BRITAIN. Treaty of commerce and navigation. <i>April 3, 1911</i> .	177
JAPAN-GREAT BRITAIN. Treaty of commerce and navigation. <i>July 16, 1894</i> .	187
PANAMA CANAL. Hay memorandum.....	199
PANAMA CANAL. Lansdowne memorandum. <i>August 3, 1901</i>	209
PONTIFICAL BRIEF. International peace. <i>June 11, 1911</i>	214
RUSSIA-SPAIN. Convention of obligatory arbitration. <i>August 2/15, 1910</i> ..	217
SPAIN-GREECE. Extradition treaty. <i>May 7/20, 1910</i>	219
UNITED STATES-GREAT BRITAIN. Declarations concerning commercial trav- elers' samples. <i>December 3-8, 1910</i>	226
UNITED STATES-SWEDEN. Consular convention. <i>June 1, 1910</i>	227

NUMBER 4, OCTOBER, 1911.

BRAZIL-GREAT BRITAIN. Arbitration convention. <i>June 18, 1909</i>	235
BRAZIL-UNITED STATES. Arbitration convention. <i>January 23, 1909</i>	236
CHINA-GREAT BRITAIN. Agreement relating to opium. <i>May 8, 1911</i>	238
FRANCE-UNITED STATES. Extradition treaty. <i>January 6, 1909</i>	243
FRANCE-UNITED STATES. General arbitration treaty. <i>August 3, 1911</i>	249

TABLE OF CONTENTS

v

GREAT BRITAIN-UNITED STATES. General arbitration treaty. <i>August 3, 1911.</i>	253
GREAT BRITAIN-UNITED STATES. Pecuniary claims arbitration agreement. <i>August 18, 1910.</i>	257
GREAT BRITAIN-JAPAN-RUSSIA-UNITED STATES. Convention for protection of fur seals in North Pacific Ocean. <i>July 7, 1911.</i>	267
HONDURAS-UNITED STATES. Loan convention. <i>January 10, 1911.</i>	274
JAPAN-GREAT BRITAIN. Agreement of alliance. <i>July 13, 1911.</i>	276
LIBERIA-GREAT BRITAIN. Boundary convention. <i>January 21, 1911.</i>	279
MEXICO-GREAT BRITAIN. Convention respecting telegraphic communication between Mexico and British Honduras. <i>May 27, 1910.</i>	281
NICARAGUA-UNITED STATES. Loan convention. <i>June 6, 1911.</i>	291
PARAGUAY-GREAT BRITAIN. Extradition treaty. <i>September 12, 1908.</i>	293
SALVADOR-UNITED STATES. Extradition treaty. <i>April 18, 1911.</i>	300

OFFICIAL DOCUMENTS

THE FOURTH INTERNATIONAL AMERICAN CONFERENCE. GENERAL RECORD OF PROCEEDINGS.¹

(Approved and signed by the delegates.)

The Fourth International American Conference, which was formally opened on the 12th of July, 1910, in the city of Buenos Aires, discussed and adopted the following motions, resolutions, and conventions:

MOTION (July 12, 1910).

(Concerning Honorary Presidents.)

The Fourth International American Conference resolves:

That their Excellencies, Dr. VICTORINO DE LA PLAZA and PHILANDER C. KNOX, respectively Minister of Foreign Relations of the Argentine Republic and Secretary of State of the American Union, be appointed Honorary Chairmen of the Fourth International American Conference.

MOTION (July 14, 1910).

That the members of the Fourth International American Conference rise as a token of respect to the deceased delegates to the previous conference.

MOTION (July 14, 1910).

That the Fourth International American Conference express the deep regret of the countries therein represented for the loss which America has sustained by the death of the illustrious Brazilian statesman, Mr. JOAQUIM NABUCO, Chairman of the Third International American Conference, which was held at Rio de Janeiro.

MOTION (July 14, 1910).

The Fourth International American Conference hereby expresses a tribute of deep respect for the high attainments and great virtues of the illustrious Argentinian, Mr. EMILIO MITRE.

¹ Reprinted from the Bulletin of the Pan American Union, November, 1910.

MOTION (July 14, 1910).

That the members of the Fourth International American Conference rise as a token of sympathy for France, and that the chairman of the conference send a cable to the President of that country worded as follows:

The delegates of the nations of America assembled in the Conference of Buenos Aires present to Your Excellency their respects in this glorious anniversary of the great Republic of Europe.

MOTION (July 14, 1910).

The Fourth International American Conference hereby resolves to send by cable to the President of the sister Republic of Costa Rica an expression of sympathy and condolence for the recent earthquake which destroyed the city of Cartago.

RESOLUTION (July 14, 1910).

(Amendment to article six of the Regulations.)

The Fourth International American Conference, assembled at Buenos Aires, resolves:

To amend article six of its Regulations as follows:

Article 6. The Fourth International American Conference shall have the following committees:

- (1) To consider Subject I (Regulations and Credentials), 5 members.
- (2) To consider Subjects II, V, XIII, and XIV, 7 members.
- (3) To consider Subject III, 1 member for each delegation.
- (4) To consider Subject IV, 1 member for each delegation.
- (5) To consider Subject VI, 1 member for each delegation.
- (6) To consider Subject VII, 7 members.
- (7) To consider Subject VIII, 1 member for each delegation.
- (8) To consider Subject IX, 1 member for each delegation.
- (9) To consider a convention for the American Republics relating to patents of invention and trade-marks, 7 members.
- (10) To consider a convention for the American Republics relating to the copyright law and Subject XII, 7 members.
- (11) To consider Subject XI, 7 members.
- (12) To consider Subject XV, 1 member for each delegation.
- (13) Publications, 5 members.
- (14) General welfare, 5 members.

MOTION (July 20, 1910).

The Fourth International American Conference authorizes the Chairman to forward at once to the committees the decisions, reports, and other documents, the secretary's office reserving the right to request the return of the same when necessary.

MOTION (July 20, 1910).

(Commemoration of the centennial of the independence of the Republic of Colombia.)

That the Chairman of the Fourth International American Conference send greetings by cable to the Government of Colombia upon the celebration of the first centennial of its independence and that the delegates shall rise in honor of our sister Republic.

MOTION (July 20, 1910).

The Fourth International American Conference invites the Senators and Representatives of the Argentine Republic to attend its sessions and authorizes the Chair to extend this invitation also to such other persons as he may deem expedient.

MOTION (July 28, 1910).

(Commemoration of the independence of Peru.)

That the Fourth International American Conference send greetings, through its Chairman, to the Republic of Peru upon the anniversary of its independence, and that the members of the Conference will rise in honor of said country.

RESOLUTION (August 4, 1910).

(Powers of the delegates.)

The Fourth International American Conference, assembled in Buenos Aires, resolves:

That the full power of each delegate as a competent envoy to take part in the Conference and to sign treaties and conventions as representatives of the respective Governments attending this Conference has been duly verified.

RESOLUTION (August 4, 1910).

(Credentials of Mr. ALVAREZ, delegate from Chile.)

The Fourth International American Conference adds the name of Mr. ALEJANDRO ALVAREZ to the list of the delegation of the Republic of Chile.

RESOLUTION (August 4, 1910).

(Commemoration of the independence of the American Republics.)

The Fourth International American Conference, assembled at Buenos Aires, resolves:

That with the concurrence and active collaboration of the American nations, there be erected in the city of Buenos Aires a suitable building in which the products of their soil and industries shall be permanently exhibited, to be called the "Pan American Products Exhibition."

That the Independence of the American Republics be commemorated by the publication of an artistic book in which the Declaration of Independence of each one of the countries shall be reproduced in facsimile, together with a historical summary of the great events commemorated and the portraits of the leaders in the cause of emancipation.

In order to carry out these works and to solicit from the several Governments the necessary aid for their completion and maintenance, a council shall be formed in the city of Buenos Aires, consisting of the diplomatic representatives of the American Republics accredited to the Argentine Government and the Argentine Pan American Commission. Those Republics having no diplomatic representatives accredited in Buenos Aires may, nevertheless, be represented on the council.

That the Pan American Committees of the respective countries be asked to collaborate with this council in Buenos Aires toward the due and speedy realization of these objects.

RESOLUTION (August 4, 1910).

(Tribute to Mr. ANDREW CARNEGIE.)

The Fourth International American Conference, assembled at Buenos Aires, resolves:

First. The Fourth International American Conference declares that Mr. ANDREW CARNEGIE deserves the gratitude of the American Republics.

Second. The Union of the American Republics, on behalf of the Governments therein represented, shall have a gold medal struck bearing these inscriptions in English: On the obverse "The American Republics to ANDREW CARNEGIE," and on the reverse "Benefactor of Humanity."

Third. That the medal referred to in article 2 hereof, together with a copy of this resolution and of the documents thereto relating, shall be presented to Mr. ANDREW CARNEGIE at a special session of the Governing Board of the Union.

RESOLUTION (August 4, 1910).

(International Scientific Congress held in Santiago de Chile.)

The Fourth International American Conference, assembled at Buenos Aires, resolves:

First. That the executive of the Conference address the Government of Chile, informing it that in all the Republics was viewed with singular pleasure its action in assembling in the city of Santiago of Chile a scientific congress, and the results thereof.

Second. That the Governments represented be informed that the Conference would consider convenient the meeting of like assemblies as referred to in the section above, to be held in the American cities hereafter to be designated.

RESOLUTION (August 4, 1910).

(Commemoration of the opening of the Panama Canal.)

The Fourth International American Conference, assembled at Buenos Aires, resolves:

To refer the manner in which the opening of the Panama Canal shall be celebrated to the Governing Board of the Union of American Republics, in the city of Washington.

MOTION (August 10, 1910).

(Ecuador's commemoration.)

The Fourth International American Conference, assembled at Buenos Aires, resolves:

That the Chairman of the Fourth International American Conference send greetings in behalf of the latter to the Government of Ecuador, as a tribute upon the centennial of her national independence, and that the delegates kindly rise as a mark of respect to said Republic.

MOTION (August 10, 1910).

(The Honorary Chairman of the Conference.)

The Fourth International American Conference, through its Chairman, addresses a message of congratulation to His Excellency Don CARLOS RODRIGUEZ LARRETA, member of the Argentine delegation, upon his appointment as Minister of Foreign Relations, and elects him Honorary Chairman of the Conference.

MOTION (August 10, 1910).

(The Honorary Chairman of the Conference.)

The Fourth International American Conference does not accept the resignation of Honorary President of the Conference presented by Dr. VICTORINO DE LA PLAZA, ex-Minister of Foreign Relations of the Argentine Republic.

RESOLUTION (August 10, 1910).

(Credentials of the delegate from Brazil, Mr. JOAQUIM DUARTE MURTINHO.)

The Fourth International American Conference resolves:

That to the list of the delegation from Brazil be added the name of its president and delegate, Mr. JOAQUIM DUARTE MURTINHO.

MOTION (August 10, 1910).

The Fourth International American Conference takes a recess in order that the delegates may attend the ceremony of taking the oath of office as Minister of Foreign Relations by Dr. CARLOS RODRIGUEZ LARRETA.

RESOLUTION (August 10, 1910).

(Memorials and reports.)

The Fourth International American Conference, assembled at Buenos Aires, resolves:

To recommend to the Governments therein represented:

(1) That there be sent through the Ministries of Foreign Relations all the reports presented at this Conference to each of the Pan American Committees and to the International Bureau of the American Republics for such use as they may deem advisable.

(2) That inasmuch as reports are very useful, the Governments shall be specially requested to present them at the future Conferences, and, to the end that they be more carefully studied, they should be sent three months in advance to the International Bureau of the American Republics to be printed, in order that they may be distributed on the day of the opening of the Conference.

(3) That the usefulness of the Pan American Committees having been fully demonstrated in the countries where they have been created, and in view of the importance of establishing them in the countries that have not done so, the latter shall be requested to create them as soon as possible, notifying at once the aforesaid Bureau.

(4) To request also of the Governments the compliance with the resolutions of the Third Conference concerning natural resources, monetary system, and commerce, the offices of the respective countries having the right to send directly to the International Bureau in Washington its reports, yearbooks, data, and all kinds of publications relating to those matters.

(5) That in order to facilitate the delivery of the ratification of the conventions and to expedite their exchange and publication, in addition to the ratification copy sent to the Ministry of Foreign Relations of the country where the Conference is held, another copy shall be sent, as a means of information, to the International Bureau of the American Republics, and a like procedure shall be taken with regard to the adherence of the nations which have not already signed the same.

RESOLUTION (August 11, 1910).

(Reorganization of the "Union of American Republics.")

The Fourth International American Conference, assembled at Buenos Aires resolves:

ARTICLE I. To maintain under the name of "Union of American Republics" the International Union created by the First and confirmed by the Second and Third Conferences, and under the name of "Pan American Union," the institution serving as its agent and having its seat in the building of the American Republics in the city of Washington, D. C.

The purposes of the Pan American Union are the following:

1. To compile and distribute commercial information and prepare commercial reports:

2. To compile and classify information respecting the treaties and conventions between the American Republics and between these and other States, and respecting their legislation in force.

3. To supply information on educational matters.

4. To prepare reports on questions assigned to it by resolutions of the International American Conferences.

5. To assist in obtaining the ratification of the resolutions and conventions adopted by the Conferences.

6. To carry into effect all resolutions the execution of which may have been assigned or may hereafter be assigned to it by the International American Conferences.

7. To act as a permanent committee of the International American Conferences, recommending topics to be included in the programme of

the next Conference. These subjects must be communicated to the various Governments forming the Union at least six months before the date of the meeting of the next Conference.

8. To submit within the same period a report to the various Governments on the work of the Pan American Union during the term covered since the meeting of the last Conference, and also special reports on any matter which may have been referred to it for report.

9. To keep the records of the International American Conferences.

ART. II. The control of the Pan American Union is vested in a governing board consisting of the diplomatic representatives of all the Governments of said Republics accredited to the Government of the United States of America and the Secretary of State of the United States, upon whom the American Republics have conferred the chairmanship of the governing board.

ART. III. Any diplomatic representative unable to attend the meetings of the board may transmit his vote, stating his reason therefor in writing. A representation by proxy is prohibited.

Any Republic having no representative accredited before the Government of the United States of America may designate a member of the governing board to represent said Republic in the Union of American Republics, and in this case said representative shall have a vote for each country represented.

ART. IV. The governing board shall hold a regular meeting the first Wednesday of every month, excepting the months of June, July, and August, and special meetings at the call of the chairman, issued on his own initiative or at the request of two members of the board.

The attendance of five members at any regular or special meeting shall be sufficient to permit the board to proceed with the transaction of business.

ART. V. In the absence of the Secretary of State of the United States of America the meetings of the governing board shall be presided over by one of the diplomatic representatives in Washington then present by order of rank and seniority and with the title of vice-chairman.

ART. VI. At the regular meeting to be held in November the governing board shall fix by lot the order of precedence among all the representatives of the American Republics forming the Union in order to create a supervisory committee. The first four on this list and the Secretary of State of the United States of America shall constitute the first supervisory committee, and the four members of the committee shall be

replaced by turn, one every year, so that the committee will be totally renewed in four years. The outgoing members shall always be replaced by those following on the list, the same method being observed in the event of resignation.

The Secretary of State of the United States of America shall always be the chairman of the committee.

The supervisory committee shall hold their regular meetings the first Monday of every month, and three members shall be sufficient to constitute a quorum.

ART. VII. There shall be a Director-General, appointed by the governing board, and an assistant director, who shall also discharge the duties of secretary of the governing board.

ART. VIII. The Director-General shall have charge of the administration of the Pan American Union, in accordance with these fundamental rules, the regulations, and the resolutions of the governing board.

He shall have charge of the correspondence with the Governments of the Union through their diplomatic representatives in Washington, or directly in the absence of such representatives, and with the Pan American committees. He must attend in an advisory capacity the meetings of the governing board, of the committees, and of the American International Conferences, except in the case of resolution to the contrary.

ART. IX. The personnel of the Pan American Union, the number of employees, their appointment, duties, and all matters pertaining thereto, shall be determined by the regulations.

ART. X. There shall be in the capital of each of the Republics of this Union a Pan American committee responsible to the Minister of Foreign Affairs, consisting, if possible, of persons who have been delegates to some International American Conference, their duties being:

(a) To obtain the approval of the resolutions adopted by these conferences.

(b) To furnish promptly to the Pan American Union all the accurate data needed for the preparation of its work.

(c) To submit on its own initiative any projects it may deem proper to foster the interests of the Union, and to exercise such further functions as the respective Governments may deem proper.

These committees shall correspond with the Pan American Union either directly or through the diplomatic representatives in Washington.

Each Government represented in the Union is entitled to send to the Pan American Union, at its own expense, a special agent representing

the respective Pan American committee, to furnish such data and reports as may be requested of him, and at the same time to obtain any information that his Government may require.

ART. XI. The Director-General of the Pan American Union shall submit at the regular meeting in November a detailed budget of the expenses for the following year. This budget, after approval by the governing board, shall be transmitted to the various signatory Governments with a statement of the annual quotas which they are to contribute, these quotas being fixed in proportion to the population of each country.

ART. XII. The Pan American Union shall issue such publications as the governing board may determine, and shall publish a bulletin at least once a month.

All geographical maps published by the Pan American Union shall bear a statement thereon that they do not constitute documents approved by the Government of the country to which they apply, nor by the Governments of the countries whose boundaries appear thereon, unless the former and the latter Governments shall have expressly given their approval, which shall in such case also be stated on the map. An identical statement shall be made on the publications of the Union save those of an official nature.

All these publications, with the exception of those determined by the governing board, shall be distributed gratuitously.

ART. XIII. In order to insure the greatest possible accuracy in the publications of the Pan American Union, each of the signatory States shall transmit directly to the Union two copies of all official documents or publications relating to matters connected with the purposes of the Union, and with the same object they shall also send one copy to each of the Pan American committees.

ART. XIV. All correspondence and publications of the Pan American Union shall be carried free of charge by the mails of the American Republics.

ART. XV. The Pan American Union shall be governed by the regulations prepared by the governing board in accordance with these statutes.

ART. XVI. The American Republics bind themselves to continue to support the Pan American Union for a term of ten years from this date and to pay annually into the treasury of the Pan American Union their respective quotas. Any of the Republics may cease to belong to the Union of American Republics upon notice to the governing board

two years in advance. The Pan American Union shall continue for successive terms of ten years unless twelve months before the expiration of such term a majority of members of the Union shall have given official notice through the Secretary of State of the United States of America of the desire to withdraw therefrom on the expiration of the term.

ART. XVII. All other rules and regulations contrary to the present resolution are hereby repealed.

RESOLUTIONS (August 11, 1910).

(The Pan American Railroad.)

The Fourth International American Conference, assembled in Buenos Aires, resolves:

(1) To extend the existence, together with all its powers, of the Committee of the Pan American Railroad in Washington, to which, because of the important services it has rendered, the conference hereby expresses its acknowledgments.

(2) The resolutions adopted by the Third Pan American Conference on this same point are hereby confirmed.

(3) Taking into consideration the great moral and material significance involved in the carrying out of such an important work, the conference recommends to the permanent Committee of the Pan American Railroad in Washington that, as soon as possible, it shall gather together all the studies and technical and financial data necessary for the preparation of a final plan and estimate for the construction of said work; requests the countries interested in the execution thereof to adopt and to communicate to the permanent Committee of the Pan American Railroad the most efficient measures concerning the guaranties or subsidies they are able to offer in order to facilitate the execution of this great common aspiration so that said committee, in view of these communications, may propose a practical method of solving this problem which, if it were entrusted to the isolated action of some of the countries specially interested therein, it would be impossible to carry out, or would at least be done at a very remote date.

CONVENTION (August 11, 1910).

(The rights of literary and artistic property.)

The Fourth International American Conference, assembled in Buenos Aires, resolves:

ARTICLE 1. The signatory States recognize and protect the rights of literary and artistic property in conformity with the stipulations of the present convention.

ART. 2. By "literary and artistic works" is meant the books, articles, pamphlets of all kinds — whatever may be the subject they deal with, and whatever be the number of the pages thereof — dramatic or musical works; those of a choregraphic character, musical compositions with or without words; drawings, paintings, sculptures, and engravings; photographic works, astronomical or geographical spheres; plans, sketches or plastic works relating to geography, geology or topography, architecture or any science; and, finally, they also comprise every production that can be published by any printing or reproducing process.

ART. 3. The recognition of the right of property obtained in a State, in conformity with its laws, shall fully and legally have its effects in the other States, without the necessity of complying with any other formality, provided there shall appear in the work any statement showing the reservation of the property.

ART. 4. The right of property of a literary or artistic work includes for its author or successors the exclusive right to dispose of the same, to publish it, to sell it, translate it, or authorize the translation of it, and to reproduce it in any form either in its entirety or partially.

ART. 5. The following shall be regarded as the author of a protected work, except when proofs to the contrary are produced. He whose known name or pseudonym shall be expressed therein, and, consequently, the action brought by the author or his representative against plagiarists or infringers shall be admitted before the courts of the several signatory countries.

ART. 6. Authors or their successors, whether resident or foreign, shall enjoy, in the signatory States, the rights granted by the respective laws, but said rights shall not exceed the period of protection granted in the country of origin.

In the case of works consisting of several volumes which are not published together, as well as in the case of bulletins, serial or periodical publications, the term of the right of property shall commence to count with regard to each volume, bulletin, serial or periodical publication, from the respective date of its publication.

ART. 7. The following shall be regarded as the country of origin of a work; that in which it was first published in America, and, in case said publication has been simultaneously made in several of the signa-

tory countries, then it shall be the one which shall fix the shortest term of protection.

ART. 8. Any work that did not obtain its literary property from the beginning shall not acquire the same in its subsequent editions.

ART. 9. Authorized translations shall be protected in the same manner as original works.

The translators of works in which there is no guaranteed property or in which the same has expired, shall have the right to obtain — in so far as the translations thereof are concerned — the right of property specified in article 3, but they shall not be able to prevent the publication of other translations of the work.

ART. 10. The speeches delivered or read in deliberating assemblies, before the courts of justice, or in public meetings may be published in the newspapers without any authorization whatever, this right being subject to the provisions of the internal laws of each State concerning the matter.

ART. 11. Literary, scientific, or artistic works, whatever may be the subject thereof, published in newspapers or reviews of any of the countries of the Union, shall not be reproduced in the other countries without the previous consent of the authors. With the exception of the aforesaid works, any newspaper article may be reproduced by others, if this has not been expressly prohibited, and, in any event, the source from which said article has been obtained should be duly cited.

Such miscellaneous newspaper news which represent merely press reports shall not enjoy the protection of this convention.

ART. 12. The reproduction of fragments of literary or artistic works in publications for educational purposes or chrestomathy, does not confer any right of property, and, consequently, can be made freely in all the signatory countries.

ART. 13. For the purposes of civil responsibility indirect appropriations, not authorized, of a literary or artistic work not representing the character of the original work, shall be considered unlawful reproductions.

The reproduction, in whatever form, of an entire work or of the greater part thereof, accompanied by notes or comments, on the pretext of literary criticism, or as extension or complement of said work, shall also be considered as unlawful.

ART. 14. Every plagiarized work may be seized in the signatory countries wherein the original work has a right to be legally protected, this right being without prejudice to such indemnities or punishment as the

plagiarists may incur, in accordance with the laws of the country where the fraud has been committed.

ART. 15. Each of the Governments of the signatory countries shall preserve the right to permit, guard, or prohibit the circulation, representation, or exhibition of such works or reproductions concerning which its constituted authorities would have to exercise the aforesaid right.

ART. 16. The present convention shall commence to be in force among such signatory States as ratify the same, three months after its ratification shall be communicated to the Argentine Government and shall remain in force among all of them until a year after the date of denouncement.

This denouncement shall be communicated to the Argentine Government and shall have no effect except with regard to the country making the same.

RESOLUTION (August 11, 1910).

(Proposed convention for the reorganization of the Pan American Union.)

The Fourth International American Conference, assembled in Buenos Aires, resolves:

Whereas a proposal has been submitted to the consideration of the conference for the permanent organization of the Pan American Union by a convention, be it resolved:

To recommend to the Governments of the American Republics the consideration of the expediency of securing the further development and permanent existence of the Pan American Union, by means of a convention in accordance with the following proposed bases:

PROPOSED CONVENTION.

The Governments of the United States of America, Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, the Dominican Republic, Ecuador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Salvador, Uruguay, and Venezuela, desirous of establishing on a permanent basis the Pan American Union created by the First International Conference of American States and confirmed by the Second, Third, and Fourth Conferences, hereby resolve to conclude a convention, and to that effect have appointed their respective plenipotentiaries as follows: ———, who, after having communicated to each other their respective powers, found to be in good and due form, have agreed upon the following articles:

ARTICLE I. The Union of the American Republics constituted by the signatory States hereby agrees to maintain, under the name of "Pan American Union," the institution serving as its agent and having its seat in the building of the American Republics in the city of Washington.

ART. II. The purposes of the Pan American Union are as follows:

(1) To compile and distribute information and reports concerning the commercial, industrial, agricultural, and educational conditions of the American countries and their general progress.

(2) To compile and classify information respecting the treaties and conventions between the American Republics, and between these and other States, and respecting their legislation in force.

(3) To assist in the development of commercial and intellectual relations between the American Republics, and in their more intimate mutual acquaintance.

(4) To act as a permanent committee of the International American Conferences; to keep their records; to assist in obtaining the ratification of the resolutions and conventions adopted; to consider or recommend topics to be included in the programme of the next conference; to transmit these to the different Governments of the Union at least six months before the date of meeting of the next conference; and to prepare the programme and regulations for each succeeding conference.

(5) To submit to the several Governments, three months before the meeting of each conference, a report on the work of the institution since the adjournment of the last conference, and also special reports on every topic the consideration of which has been referred to it.

(6) To discharge any other duties that the conferences or the governing board may direct.

ART. III. There shall be at the capital of each of the Republics of this Union a Pan American Committee, responsible to the Minister of Foreign Affairs, consisting, if possible, of persons who have been delegates to some International American Conference, their duties being:

(a) To obtain the approval of the resolutions adopted by these conferences.

(b) To furnish promptly to the Pan American Union all the accurate data needed for the preparation of its work.

(c) To submit on its own initiative any projects that it may deem proper to foster the interests of the Union, and to exercise such further functions to the same ends as the respective Governments may deem proper.

ART. IV. The control of the Pan American Union is vested in the governing board, consisting of the diplomatic representatives of all the other American Governments accredited to the Government of Washington, and the Secretary of State of the United States, upon whom the American Republics have conferred the chairmanship of the governing board.

In the absence of the Secretary of State of the United States, the meetings of the governing board shall be presided over by one of the diplomatic representatives in Washington, then present, by order of rank and seniority, and with the title of vice-chairman.

Any American Government having no diplomatic representative in Washington may vest its representation on the governing board in any other member of the board, and in this case such representative shall have a vote for each country represented.

The governing board shall hold regular monthly meetings, excepting in June, July, and August, and such special meetings as the chairman may call, on his own initiative or at the request of two members of the board.

The attendance of five members at any regular or special meeting shall be sufficient to permit the board to proceed with the transaction of business.

ART. V. The Director-General of the Pan American Union shall submit, at the regular meeting in November, a detailed budget of the expenses for the following year. This budget, after approval by the governing board, shall be transmitted to the various signatory Governments with a statement of the annual quotas which they are to contribute, in proportion to the population of each country, these quotas to be paid by each Government into the treasury of the Pan American Union not later than the first of July.

The governing board shall appoint a committee from among its members, to examine, upon such dates as the board may direct, the accounts of the Union, as determined by the regulations.

ART. VI. The governing board shall appoint:

A Director-General, who shall have charge of the administration of the Pan American Union and the power to promote its efficient development in accordance with the present statutes, the regulations, and resolutions of the governing board, to which he is responsible.

An assistant director, who shall also discharge the duties of secretary of the board.

The other personnel and all matters pertaining thereto shall be determined by the regulations.

The Director-General shall prepare, with the approval of the board, the internal regulations of the several departments of the Pan American Union.

ART. VII. The Pan American Union shall publish a monthly Bulletin, devoted to the first three sections of Article II of this convention, and any other works that the governing board may direct. In order to insure the greatest possible accuracy in these publications, each of the signatory States shall transmit directly to the institution two copies of all official documents or publications relating to the purposes of the Union.

All correspondence and publications of the Union shall be carried free of charge by the mails of the American Republics.

ART. VIII. The Pan American Union shall be governed by the regulations prepared by the governing board in accordance with these bases.

ART. IX. The adherence of the American nations to the foregoing convention shall be transmitted to the Secretary of State of the United States of America, who in turn shall formally notify each of the signatory Governments of such ratification.

In case one of the Governments should desire to denounce the foregoing convention, it may do so by formally notifying the Secretary of State of the United States of America two years in advance. The Secretary of State of the United States of America shall transmit such notification to the Governments of the Union and to the governing board. Any of the signatory Governments having denounced the foregoing convention may again become a party thereto in the manner indicated.

In witness whereof, the aforesaid plenipotentiaries have signed and sealed the foregoing convention.

CONVENTION (August 11, 1910).

(Pecuniary claims.)

The Fourth International Conference, assembled in Buenos Aires, resolves:

ARTICLE 1. The high contracting parties bind themselves to submit to arbitration all claims for such pecuniary damages and losses as may be presented by their respective citizens and which can not be settled in a

friendly manner through the diplomatic channel, provided said claims are of sufficient importance to warrant the expenses of arbitration.

The award shall be rendered in conformity with the principles of international law.

ART. 2. The high contracting parties agree to submit to the decision of the permanent arbitration court of The Hague all such controversies as may be included in the purposes of this treaty, unless the interested parties shall come to an agreement to constitute a special jurisdiction.

In case the pending question should be submitted to the permanent court of The Hague the high contracting parties accept the provisions established by the convention relating to the organization of the arbitral tribunal, to the procedures to which the same may be subject, and to the obligations of complying with the award.

ART. 3. Should there be an agreement to constitute a special jurisdiction, the rules in conformity with which the tribunal shall have to take cognizance of the questions arising from the claims referred to in article 1 of the present treaty, shall be specified in the agreement providing the same.

ART. 4. This treaty shall commence to be in force immediately after the 31st of December, 1912, when the convention on pecuniary claims, which was signed in Mexico on the 31st of January, 1902, and extended by the convention which was signed in Rio de Janeiro on the 12th of August, 1906, expires.

It shall remain in force for an indefinite period with regard to the countries which at that date have ratified the same, as well as with regard to those which may ratify it subsequently.

The ratifications shall be forwarded to the Government of the Argentine Republic, which shall communicate the same to the other contracting parties.

ART. 5. Any of the countries which ratify the present treaty shall have the right to denounce the same on its own account, notifying in writing its desire two years in advance.

This notice shall be forwarded to the Government of the Argentine Republic and through the latter to the other contracting parties.

ART. 6. The treaty of Mexico shall continue in force even after the 31st of December, 1912, in so far as concerns any controversy that may have been submitted to arbitration before said date under the stipulations of the treaty.

RESOLUTION (August 11, 1910).

(The International American Scientific Congress.)

The Fourth International American Conference, assembled in Buenos Aires, resolves:

To congratulate the Argentine Government for having decreed and the Argentine Scientific Society for having organized and carried out with such brilliant success the meeting of the International American Scientific Congress in Buenos Aires, and earnestly hopes that such assemblies may be of frequent occurrence in America, and also that in the next Pan American Scientific Congress, which is to meet in the city of Washington in 1912, the American Republics be fully represented in order to secure closer relations between and the general diffusion of knowledge and science throughout the world.

RESOLUTION (August 11, 1910).

(Future conferences.)

The Fourth International American Conference, assembled at Buenos Aires, resolves:

(1) That the governing board of the Union of American Republics be empowered, within a term of five years, to convoke the meeting of the Fifth International American Conference. It is at the same time authorized to appoint the city which shall be the place of meeting of the conference, to draw up the programme, and to arrange all details in conformity with the provisions of the resolution organizing the "Union of American Republics." If the assembling of the conference within the period fixed should not be possible, the governing board of the Union may appoint another date.

(2) It is recommended to the said governing board that one year's notice be given of the date and place appointed for the Fifth Conference and that the programme for the said conference be communicated not less than six months previous to the appointed date.

RESOLUTION (August 12, 1910).

(Steamship communication.)

The Fourth International American Conference, assembled at Buenos Aires, resolves:

(1) That there should be established, as soon as possible, direct commercial relations among the American nations, always subject to the rules and regulations reciprocally issued by the nations directly interested.

(2) To recommend to the countries represented in this conference to enter into reciprocal conventions for the purpose of establishing direct steamship services adequate to the respective wants of trade, and favoring the construction for said services of steamers of as great capacity and speed as may be consistent with commercial economy.

(3) To recommend that in all cases where any of the countries represented in this conference shall establish by its own initiative a steamship line or lines for traffic with one or more of said countries, the vessels designated to such service shall enjoy, in such ports where they may touch, all the privileges granted to ships which fly the flag or flags of said port or ports of entry.

(4) To recommend that henceforth there shall not be granted to any railroad company, whether it be private or controlled by the Government, any concession by means of which it is authorized to establish, in favor of ships entering in or going out of the ports of the respective State, privileges or rebates that are not also granted to vessels employed in the direct trade with other States represented in this conference.

(5) To recommend to the States represented in this conference the study of the means and conditions under which there may be established among the American Republics the reciprocal freedom in the coasting trade, and to endeavor to submit said report to the next International American Conference.

(6) To recommend to the countries which at present have contracts in force relating to steam communication of an optional character in regard to certain ports of other American countries to take steps in order to make said communication of an obligatory character in the shortest time possible.

(7) To recommend the establishment of national steamship lines between such ports as do not have said service by steamers of American register, for the purpose of securing continuous and thorough lines of communication from the north to the south, both on the Pacific and on the Atlantic coasts, at the same time, governmental action to be taken in order that the companies which own the shorter lines may coordinate their services in such way as to avoid loss of time and intermissions in the transportation of merchandise, mail, and passengers.

(8) To recommend that in all cases where vessels complete their itinerary, making port calls in one direction, proper measures be taken to provide sufficient return freight to assure trips in the opposite direction.

(9) In view of their unquestionable importance as factors which will

contribute to facilitate and render permanent favorable conditions for a flourishing international commerce, the establishment of banking and direct cable services and the adoption of a common system of weights and measures is hereby recommended.

RESOLUTION (August 12, 1910).

(Coffee Congress.)

The Fourth International American Conference, assembled at Buenos Aires, resolves that:

Whereas the resolution of Rio de Janeiro relative to the meeting of the Coffee Congress at Sao Paulo is in force, the appointment of the date for the convocation of the said Congress shall rest with the Government of Brazil.

MOTION (August 17, 1910).

(Homage to the memory of His Excellency Don PEDRO MONTT, President of Chile.)

The Fourth International American Conference, assembled as a token of respect to the memory of His Excellency Don PEDRO MONTT, President of Chile, sends, through its chairman, the expression of its condolence to the Government and people of Chile, on account of the death of said illustrious statesman.

RESOLUTION (August 18, 1910).

(Sanitary police.)

The Fourth International American Conference, assembled at Buenos Aires, resolves:

I. To recommend to those Governments which have not already done so, to adopt the International Sanitary Convention of Washington.

II. To recommend, likewise, that they adopt the recommendations of the Third and Fourth Sanitary Conferences.

III. To re-write Article IX of the Washington Convention thus:

That an area shall no longer be considered as infected, official proof must be furnished satisfactory to both interested parties:

First. That there have been no deaths nor new cases of plague or cholera for five days after the isolation, death, or cure of the last plague or cholera case. In the case of yellow fever the period shall be eighteen days, but the Governments may reserve the right to extend this period

against those countries where methods of isolation, disinfection, and destruction of mosquitoes are not practiced.

Second. That all the measures of disinfection have been applied; in the case of plague, that the precautions against rats have been observed, and in the case of yellow fever, that the measures against mosquitoes have been put in operation.

IV. To request all the Republics to be represented in the next Sanitary Conference which shall take place in Santiago, Chile.

RESOLUTION (August 18, 1910).

(Interchange of professors and students.)

The Fourth International American Conference, assembled at Buenos Aires, resolves:

I.

To recommend to the Governments of America, with regard to such universities over which they exercise control to recommend such universities as are recognized by said Governments to establish an interchange of professors upon the following bases:

(1) The aforesaid universities shall provide facilities in order that the visiting professors may give courses or lectures therein.

(2) The courses of study or lectures shall mainly treat of scientific subjects of American interest or relating to the conditions of some one of the American countries, and specially of that from whence the professor comes.

(3) Every year the universities shall communicate to those with which they wish to establish an interchange the subjects which their professors can teach and those they would prefer to be taught in their own classes.

(4) The remuneration of the professor shall be paid by the university which has selected him unless his services are expressly requested, in which case his salary shall be paid by the university which has solicited his services.

(5) The universities, out of their own funds, should they have such available, or upon obtaining them from the respective Governments, shall fix the annual amounts to be applied to the payment of such expenses as the compliance of the present resolution may require.

(6) It would be desirable that the universities of America assemble themselves in a congress in order to secure university extension and other means of American intellectual cooperation.

II.

Furthermore, the Fourth International American Conference considers it very useful, in order to strengthen the solidarity among all the States of this continent, that there should be an interchange of students between American universities, and to that end,

RESOLVES—

(1) To recommend that the universities of America create scholarships in favor of the students of other countries of the same continent with or without reciprocity, taking either directly or acting through the Governments on which they depend the necessary measures to carry out this resolution.

(2) Each university that has established such scholarships shall appoint a commission charged with the care and assistance of the students who receive such help from the Government, to direct them in their studies and take all the necessary measures in order that they may faithfully fulfill their duties.

(3) Whenever a foreign student is enrolled in a university, the latter shall register his name in the proper course of studies in accordance with the curriculum and the ordinary rules and regulations.

CONVENTION (August 20, 1910).

(Patents of invention and industrial drawings and models.)

The Fourth International American Conference, assembled at Buenos Aires, resolves:

ARTICLE I. The signatory nations adopt this convention for the protection of patents of invention and industrial drawings and models.

ART. II. Any person of any of the signatory States shall enjoy, in each of the other States, all the advantages granted by the laws relating to patents of invention and industrial drawings and models. Consequently he shall have the same protection and legal recourses against any infringement against his rights. This article to be without prejudice to the fulfillment of such formalities and conditions as are imposed by the provisions of the interior legislation of each State.

ART. III. Every person who has duly filed an application for a patent of invention or an industrial drawing or model in one of the contracting States shall enjoy the right of ownership for a period of twelve months

in the case of patents of invention and of four months in the case of industrial drawings or models, in order that the filing may be made in the other States. This article to be without prejudice to the rights of a third party.

In consequence, the subsequent filing in any of the signatory States before the expiration of the periods specified, shall not be annulled by any acts which may occur in the interval, either especially by means of another filing, by the publication or exploitation of the invention, or by the sale of samples of the drawings or models.

ART. IV. Whenever, in the period or term fixed, a person has filed in several States applications for patents for one and the same invention, the rights resulting from the patents thus applied for shall be independent of each other. They shall also be independent of the rights derived from such patents as may have been acquired for the same invention in countries not being a party to this convention.

ART. V. Such questions as may arise concerning the priority of patents of invention shall be decided, taking into consideration the date of the application of the respective patents in the countries where they were granted.

ART. VI. The following shall be considered as an invention: A new method of manufacturing industrial products; a new machine or mechanical or manual apparatus which may serve to manufacture said products; the discovery of a new industrial product; the application of known means for the purpose of obtaining better results; and every new, original, and ornamental design for an article of manufacture.

The foregoing provision shall be understood without prejudice to the laws of each individual country.

ART. VII. Any of the signatory States may refuse to recognize the patents for any of the following reasons:

(a) Because the inventions or discoveries have been published in any country before the date of the invention claimed by the applicant.

(b) Because they have been registered, published or described in any country one year previous to the date of the application in the country in which the patent has been applied for.

(c) Because it has been in public use or for sale in the country in which the patent has been applied for one year previous to the date of said application.

(d) Because the inventions or discoveries may be in some manner contrary to the morals or to the laws of the country.

ART. VIII. The property of a patent of invention includes the right of enjoying the benefits of the same and the right of ceding or transferring it in accordance with the laws of the country.

ART. IX. Any person incurring civil or criminal responsibilities owing to injury or damage to the rights of inventors shall be prosecuted and punished in conformity with the laws of the country where the crime has been committed or the damage caused.

ART. X. The certified copies of patents of invention in the country of origin in accordance with the laws of the nation, shall be given entire faith and credit as a proof of the right of priority, without prejudice to the provisions contained in Article VII.

ART. XI. Treaties on patents of invention, industrial drawings or models entered into previously between the signatory countries of the present convention, shall be substituted by the latter as soon as it shall be ratified in so far as it concerns the relations between the signatory States.

ART. XII. The adherence of the American nations to the present convention shall be addressed to the Government of the Argentine Republic, in order that the latter may communicate the same to the other States. These communications shall have the effect of an exchange.

ART. XIII. The signatory nation who may deem it convenient to withdraw from this convention shall notify the Government of the Argentine Republic, and one year after the receipt of said communication this convention shall cease to be in force in so far as it concerns the nation that has denounced it.

RESOLUTION (August 20, 1910).

(Consular documents.)

The Fourth International American Conference, assembled at Buenos Aires, resolves:

I. To recommend to the countries which require the general manifest of entry, to omit the consular certificate of said manifest.

II. To recommend to the countries which have adopted the consular manifest of shipment, the adoption of the accompanying model of manifest. (See attached forms.)

III. To recommend to the countries which may adopt the attached form of consular invoice, not to require the consular certification of the bill of lading.

IV. To recommend the use of the attached consular invoice. The latter shall bear on the reverse the spaces intended for the declarations of the seller, manufacturer, or agent, and of the consular certificate, the wording of which shall be made in conformity with the legal provisions of each country.

V. To recommend to such countries as may adopt the model of invoice presented, not to demand the certificate of origin, the statements of which are contained in said invoice model.

VI. That the consular fees shall be moderate and shall not constitute an indirect way of increasing the income derived from custom-house duties, and it is hereby declared that it is beneficial to the interests of the international commerce of the Western Hemisphere to reduce these duties as much as possible, whatever may be the form adopted for the collection of same, so that they may not exceed the amount necessary to cover the expenses caused by the consular service.

VII. To recommend to the governments of the countries represented at this conference to send instructions to their consulates, requesting that they keep their offices open in order that the consular documents may be viséed during the same hours in which the custom-houses of the countries where they are accredited transact business, and to recommend to the governments to insist upon the compliance with the foregoing instructions.

CONSULAR INVOICE (August 20, 1910).

Date ———.

Invoice of ———, shipped by ———, of ———, to ———, of ———, the transportation of which shall be made by ———.

Packages.				Description of merchandise.	Weights, gross net. ^a	Prices, per totals, unit.	Place of origin of the merchandise.	Consular remarks.
Marks.	Number.	Quantity.	Cases.					

^a This column may be omitted by countries which used to require it in the consular manifest.

(Signature of the seller, manufacturer, or authorized agent.)

On the reverse shall appear the following signatures:

Declaration :	Consular certificate.
Of the seller, manufacturer, or authorized agent :	The consul of
.....
.....

CONSULAR MANIFEST.

Manifest for the cargo of the (class, flag, and name of the vessel), Captain _____, of _____ tonnage, and _____ members of crews, including the captain, making the voyage from _____ to _____ (port of destination), consigned to _____.

Packages.				Description of contents.	Weights of volumes.	Shipper.	Consignee. (It should be stated if the bill of lading is sent by order.)	Total of packages to each consignee.
Marks.	Number.	Quantity.	Cases.					

I, Mr. _____, captain of the said vessel, hereby declare that I have not shipped any other cargo on board this vessel than as above stated, with the exceptions of the provisions of the vessel, and that during my voyage I shall make such other declaration in writing as should be added to those made in this manifest, on account of lack of volume as well as of an increase of the same, in order to deliver it, together with the said manifest and the corresponding bill of lading, to the first custom-house officer that may come on board of the vessel under my command at the port of destination.

The consul of (place and date) certifies that this manifest, in conformity with _____ bills of lading and _____ certificates of consignment, is legalized by all the declarations required by the custom-house regulations of _____, with corrections, erasures, or interlineations.

In testimony whereof I sign these presents and affix the seal of the consulate.

[SEAL.]
(Place and date.)

(Signature of consul.)

RESOLUTION (August 20, 1910).

(Custom-house regulation.)

The Fourth International American Conference, assembled at Buenos Aires, resolves:

I. That in case any packages destined to another port, either national or foreign, have been landed in a certain port, the same shall be permitted to be reembarked without the imposition of any fine, provided it shall be shown in an authentic manner that its true destination was another port.

II. That in order to facilitate the prompt dispatch of vessels instructions should be issued authorizing the custom-house officer to authorize, before the arrival of the ship, upon the request of the interested party and in conformity with the proper regulations, the preparation of cargoes for shipment.

III. That the respective Governments shall establish regulations: (1) Permitting the operations of loading and unloading of merchandise during the night in all such cases as may be allowable in the opinion of the proper authorities; and (2) authorizing the same operations and the simultaneous operations of loading and unloading on the same vessel on holidays, including Sundays, with the exception of national holidays.

IV. That means shall be provided for the transit of the merchandise of international commerce through the territory of the several countries, simplifying as much as possible such documents as may be required to carry out this operation without prejudice to all such measures as may be necessary to prevent fraud.

That the merchandise in transit through the means of communication of any country is not subject to any tax and shall only pay for such services as are rendered for the proper installation of the ports or of the roads traversed and of the vigilance service at the same rates as said services are paid for on the merchandise for local consumption of the country through whose jurisdiction the transit is made. It shall be understood that this exemption of duties shall only apply in those cases in which it may be consistent with special circumstances, the resources and economical conditions of the country through which the transit is made.

V. That the custom-houses of the American countries, in case of consultation or the sending of a sample of any article of importation, shall indicate the classification assigned to it in the custom-house tariff and the duties to which consequently it is subject.

RESOLUTION (August 20, 1910).

(Section of commerce, custom-house and statistics.)

The Fourth International American Conference, assembled in Buenos Aires, resolves:

I. To request the governing board of the Pan American Union to establish the section of commerce, custom-house and statistics which was also recommended by the International Conference of Rio de Janeiro. This section shall send an expert in custom-house matters to the several American countries, for the purpose of securing and getting together the laws, custom-house and consular regulations, and to publish them in a compilation which shall permit to easily make a comparative study of the provisions contained therein, and shall serve as a book of reference in all questions relating to international commerce.

II. That the governing board of the Pan American Union shall send to the Governments of the nations represented in this conference, one year before the date in which the next conference shall take place, a report on the following subjects:

(1) Imposts to which navigation in the ports of American countries is subject.

(2) Documents which shall accompany the applications filed at the custom-houses for the proper dispatch of merchandise; the form and requisites of these applications and the possibility of adopting a uniform model.

(3) The systems of appraisement of merchandise, for the payment of custom-house duties and the preparation of commercial statistics in America, as well as the advantages and drawbacks of the different systems.

(4) Organization of the custom-house officers and procedure.

(5) Other measures the adoption of which might be recommended for the purpose of rendering uniform the custom-house and consular administration of the American Republics.

III. To recommend to the Bureau of the American Republics the preparation of a vocabulary of the different expressions and synonyms employed in the countries of America to designate the same articles and products, with their equivalents in English, French, and Portuguese. In this compilation shall be indicated — in such manner as the Pan American Union may deem most convenient — the custom-house duties to which said articles are subject in the several Republics of the Western Hemisphere, as well as such classification as has been given them in the appraisement tariff.

In order to make this compilation, it is hereby recommended that the Pan American Commission of each Republic shall prepare and send to the Pan American Union the list of articles the designation of which in the respective country has a special meaning or was not generally used in America, together with the equivalent in Spanish, whenever there is one, stating, also, any other data that should be added. The section of custom-house, commerce, and statistics of the Union shall, in view of these data, coordinate the aforesaid nomenclature.

RESOLUTION (August 20, 1910).
(Commercial statistics.)

The Fourth International American Conference, assembled in Buenos Aires, resolves:

That the section of commerce, custom-house, and statistics managed or advised by experts in the matter shall proceed to realize the following undertakings:

1. To compile and put in order all such data and antecedents as may be necessary to acquire a perfect knowledge and make the proper study of the procedure followed in the American Republics in the preparation of their statistics of foreign trade, both general and special, namely: The classifications, grouping, definitions, and nomenclature used in said countries; the procedure adopted in order to fix the values of the imports and exports, to determine the country of origin of the merchandise and the places they come from, as well as the destination of the exports; the monetary equivalents and all such details as might contribute to obtain the desired results.

2. In view of the data and antecedents referred to in the foregoing clause, to prepare a comparative report of the statistics of the American Republics, calling attention to the principal differences between the methods and processes employed in them.

3. To prepare a project of bases which shall be submitted to the consideration of the respective Governments in order that they may examine and give, in due time, such instructions as they may deem advisable to their delegates to the Fifth Pan American Conference, or to a special Congress that may be assembled to that effect, if it should be necessary to postpone the conference, or if the Governing Board of the Pan American Union should recommend the holding of a special conference, in view of the technical character of the custom-house and statistical subjects, and as soon as the study and reports entrusted to the section of commerce, custom-house, and statistics are completed.

The project of bases which shall be submitted by the section of commerce, custom-house, and statistics shall deal with the following questions:

(a) Uniform processes for fixing the values of the international trade in order that the statistics may be efficiently compared and serve as a base of such agreements or conventions as said governments may enter into concerning trade or navigation.

(b) Identical or similar classifications and grouping of merchandise imported or exported, to the same purpose as is set forth in the foregoing paragraph.

(c) The adoption of the same method in order to determine the origin and place where the imports come from, as well as of the destination of the exports.

(d) The use of the same commercial nomenclature in so far as the diversity of the languages and of the products will permit.

(e) The adoption of identical usual meanings of the terms most frequently applied in commercial statistics.

(f) The strict compliance with the decimal metric system, in order to secure as much uniformity as possible in everything relating to weights and measures.

RESOLUTION (August 20, 1910).

(Census.)

The Fourth International American Conference, assembled in Buenos Aires, resolves:

To recommend to the Governments of the American States:

(1) Taking the census of population every ten years, taking into consideration the latest scientific methods and technical processes.

(2) That a census of population be taken in all the American States in 1920 and if possible on the same month, said work to be recommended in advance by the Pan American Union in Washington.

(3) To recommend also to the countries of the Pan American Union, that in the aforesaid date to proceed to take a general industrial census and such other census as science and experience may suggest.

CONVENTION (August 20, 1910).

(Trade and commercial marks.)

ARTICLE I. The signatory nations adopt this convention for the protection of trade and commercial marks and commercial names.

ART. II. Every trade-mark duly registered in any of the signatory States shall be considered as registered also in the other countries of the Union, without prejudice to the rights of a third party and of the provisions of the laws of each nation.

In order to enjoy this privilege the manufacturer or merchant interested in the registration of the trade-mark shall contribute pay, in addition to the fees or emoluments fixed in the law of each nation, the sum of \$50, once only, which sum shall be applied to cover the expenses of the international registration of the respective office.

ART. III. The deposit of a trade or commercial mark in one of the signatory States gives to the depositor the right of priority during a period of six months to enable him to make the deposit in other States.

Consequently, the deposit subsequently made and before the expiration of said term shall not be annulled by acts executed in the interval, especially by another deposit, the publication, or the use of the trade-mark.

ART. IV. The following shall be considered as a trade or commercial mark: Every sign, emblem, or especial name that merchants or manufacturers may adopt or apply to their articles or products in order to distinguish them from those of other manufacturers or merchants who make or deal in articles of the same kind.

ART. V. The following shall not be adopted or used as trade or commercial marks: National, provincial, or municipal flags or coats of arms; immoral or scandalous figures; the characteristics that may have been already obtained by others or that are liable to confusion with other marks; the general names of articles; the pictures or names of persons without their consent; and any drawing that has been adopted as an emblem by any fraternal or humanitarian association.

The above provision shall be understood without prejudice to the provisions of the laws of each country.

ART. VI. Such questions as may arise about the priority of the deposit or adoption of a trade or commercial mark shall be decided, taking into consideration the date of the deposit in the country where the first application was made.

ART. VII. The ownership of a trade or commercial mark includes the right to enjoy the privilege of the same and the right also of ceding its total or partial ownership or use in conformity with the law of each country.

ART. VIII. The counterfeiting, imitation, or improper use of commer-

cial or trade marks, as well as the false representation of the origin of the product, shall be prosecuted by the interested party, in accordance with the laws of the State in whose territory the crime has been committed.

For the purposes of this article the following shall be considered as interested parties: Any producer, manufacturer, or merchant engaged in the production, manufacture, or trade of said product, or, in case of a false representation of the origin of the product, the person established in the locality falsely represented as the origin or in the region in which said locality may be situated.

ART. IX. Any person of one of the signatory States shall have the right to apply for and obtain, in any of the other States, before the proper judicial authority, the annulment of the registration of a trade or commercial mark when he has applied for the registration of said mark or of any other that is liable to be confused in said State with the one the annulment of which is sought, by proving:

(a) That the mark the registration of which is applied for has been employed or used within the country before the employment or use of the mark registered by the registrator or by the one or ones from whom he obtained it.

(b) That the registrator of the mark the annulment of which is sought had knowledge of the ownership, employment, or use of the mark of the applicant in any of the signatory States before the employment or use of the mark registered by the registrator or by the one or ones from whom he obtained it.

(c) That the registrator had no right to the ownership, use, or employment of the mark registered on the date of its deposit.

(d) That the mark registered had not been used or employed by the registrator or his successor within the term fixed by the laws of the State wherein the registration was made.

ART. X. The commercial names shall be protected in all the States of the Union without obligation of deposit or registration whether they constitute or not a part of a trade or commercial mark.

ART. XI. For the purposes set forth in the present treaty a union of the American nations is hereby constituted which shall act, through the medium of two established offices, one in the city of Havana and the other in Rio de Janeiro, and which shall be in complete co-relation with each other.

ART. XII. The international offices shall have the following functions:

(1) To keep a record of the certificates of ownership of trade and commercial marks issued by any of the signatory States.

(2) To gather as much information and data as may have relation with the protection of intellectual and industrial ownership, and to publish and circulate the work in the Nations of the Union as well as to supply any special information they may need on the matter.

(3) To foster the study and diffusion of questions relating to the protection of the intellectual and industrial ownership, publishing to that effect one or more official reviews, in which there shall be published, in its entirety or as a résumé, such documents as the authorities of the signatory States send to the office.

The governments of said States bind themselves to send to the international American offices the official publications containing declarations of registration of trade-mark, commercial names, and the granting of patents, of privileges, as well as the decisions of annulment of trade-marks or patents of inventions issued by their respective courts.

(4) To communicate to the governments of the States of the Union any difficulties or obstacles opposed to or causing delay to the efficient compliance with this convention.

(5) To contribute, together with the governments of the signatory States, to the preparation of international conferences in order to study laws relating to industrial ownership as well as such reforms as may be convenient to introduce the régime of the Union or in the treaties in force concerning the protection of the former. The directors of the offices shall have the right to attend the sessions of the conferences where they shall have the right to speak but not to vote.

(6) To submit to the Governments of Cuba and the United States of Brazil annual statements of the work done, forwarding the same also to the governments of all the other States of the Union.

(7) To initiate and maintain relations with similar offices and with scientific and industrial societies or institutions in order to secure the exchange of publications, reports, and data that may contribute to the progress of the right of industrial property.

(8) To investigate the cases in which trade or commercial marks, industrial drawings, or models have not been recognized or registered, in accordance with this convention, by the authorities of any of the States of the Union, communicating the facts in the case and stating the reasons presented, to the Government of the country of origin and to the interested parties.

(9) To cooperate as agents of the Governments of the signatory nations before the respective authorities, in order to obtain the best result in any steps that may be taken to promote or carry out the ends of this convention

ART. XIII. The office established in the city of Havana shall have charge of the registers of the trade and commercial marks from the United States of America, Mexico, Cuba, Haiti, the Dominican Republic, El Salvador, Honduras, Nicaragua, Costa Rica, Guatemala, and Panama.

The office established in the city of Rio de Janeiro shall have charge of the registers of the trade and commercial marks from Brazil, Uruguay, Argentina, Paraguay, Bolivia, Chile, Peru, Ecuador, Venezuela, and Colombia.

ART. XIV. Both international offices shall be considered as one office and for the purposes of the unification of the registers, it is hereby resolved:

(a) That both offices keep the same books and the same accounts under an identical system.

(b) That every week there shall be reciprocally sent copies of all the applications, registrations, communications, and any other documents relating to the acknowledgment of the rights of the owners.

ART. XV. The international offices shall be governed by the same rules and regulations drafted by agreement of the Governments of the Republics of Cuba and the United States of Brazil, and approved by all the other signatory States.

The estimates of expenses shall be approved by the aforesaid Governments and paid by all the signatory States in an equal proportion to that established for the International Bureau of the American Republics in Washington, and to that effect said offices shall be under the control of the Governments in whose countries they are established.

The international offices may adopt such interior rules and regulations as they may deem advisable for compliance with the stipulations of this convention, provided they are not incompatible with the terms of said convention.

ART. XVI. The Governments of the Republics of Cuba and of the United States of Brazil shall proceed to organize the offices of the International Union in accordance with what has been stipulated, as soon as this convention shall have been ratified by two-thirds, at least, of the nations pertaining to each group.

The simultaneous establishment of both offices shall not be necessary, and a single one may be installed provided there is the specified number of signatory nations.

ART. XVII. The treaties on trade and commercial marks entered into formerly among the signatory States shall be substituted by this convention from the date of its ratification in regard to the relations among said States.

ART. XVIII. The ratifications or adherences of the American nations to this convention shall be communicated to the Government of the Argentine Republic, who shall make them known to the other States of the Union. Said communications shall be considered as an exchange.

ART. XIX. Any State that may deem it convenient to separate from this convention shall make known its desires to the Government of the Argentine Republic, and the latter shall communicate the fact to the other States of the Union, and a year after having received the respective communication this convention shall cease to be in force in so far as it concerns the State which has denounced it.

RESOLUTION (August 20, 1910).

(National bibliographical offices.)

The Fourth International American Conference, assembled in Buenos Aires, resolves:

To recommend the establishment of national bibliographical offices in the American countries where they do not as yet exist on the same basis as those recently created in the Argentine Republic, Chile, and Peru.

MOTION (August 20, 1910).

(The Pan American Railroad.)

The Fourth International American Congress urges the American Governments to prosecute and accelerate the works of the Pan American Railroad upon a fixed and determined plan.

MOTION (August 20, 1910).

(Message to Mr. ELIHU ROOT.)

The Fourth International American Conference sends to Your Excellency a vote of high esteem and everlasting remembrance.

AGREEMENT BETWEEN THE UNITED KINGDOM AND FRANCE REFERRING
TO ARBITRATION THE CASE OF VINAYAK DAMODAR SAVARKAR.¹

Signed at London, October 25, 1910.

The Government of His Britannic Majesty and the Government of the French Republic having agreed, by an exchange of notes dated the 4th and 5th October, 1910, to submit to arbitration, on the one hand, the questions of fact and law raised by the arrest and restoration to the mail steamer "Morea," at Marseilles, on the 8th July, 1910, of the Indian, Vinayak Damodar Savarkar, who had escaped from that vessel, on board of which he was in custody; and on the other hand, the demand of the Government of the Republic with a view to the restitution to them of Savarkar;

The undersigned, duly authorized to this effect, have arrived at the following agreement:—

ARTICLE 1.

An arbitral tribunal, composed as hereinafter stated, shall undertake to decide the following question:—

Should Vinayak Damodar Savarkar, in conformity with the rules of international law, be restored or not be restored by His Britannic Majesty's Government to the Government of the French Republic?

ARTICLE 2.

The arbitral tribunal shall be composed of five arbitrators chosen from the members of the Permanent Court at The Hague. The two contracting parties shall settle the composition of the tribunal. Each of them may choose as arbitrator one of their nationals.

ARTICLE 3.

On the 6th December, 1910, each of the high contracting parties shall forward to the Bureau of the Permanent Court fifteen copies of its case, with duly certified copies of all documents which it proposes to put in. The Bureau will undertake without delay to forward them to the arbitrators and to each party: that is to say, two copies for each arbitrator and three copies for each party. Two copies will remain in the archives of the Bureau.

¹ Great Britain, Treaty Series, No. 25, 1910.

On the 17th January, 1911, the high contracting parties will deposit in the same manner their counter-cases, with documents in support of them.

These counter-cases may necessitate replies, which must be presented within a period of fifteen days after the delivery of the counter-cases.

The periods fixed by the present agreement for the delivery of the cases, counter-cases, and replies may be extended by mutual agreement between the high contracting parties.

ARTICLE 4.

The Tribunal shall meet at The Hague the 14th February, 1911.

Each party will be represented by an agent, who shall serve as intermediary between it and the Tribunal.

The arbitral tribunal may, if it thinks necessary, call upon one or other of the agents to furnish it with oral or written explanations, to which the agent of the other party shall have the right to reply.

It shall also have the right to order the attendance of witnesses.

ARTICLE 5.

The parties may employ the French or English language. The members of the Tribunal may, at their own choice, make use of the French or English language. The decisions of the Tribunal shall be drawn up in the two languages.

ARTICLE 6.

The award of the Tribunal shall be given as soon as possible, and, in any case, within thirty days following the date of its meeting at The Hague or that of the delivery of the written explanations which may have been furnished at its request. This period may, however, be prolonged at the request of the Tribunal if the two high contracting parties agree.

Done in duplicate at London, October 25, 1910.

(L. S.) E. GREY.

(L. S.) PAUL CAMBON.

IMPERIAL CHINESE DECREE CONVENING THE PARLIAMENT¹*November 4.*

With reference to the telegrams from the viceroys and governors of the several provinces, praying that constitutional canons be promulgated, that a parliament be established and that a cabinet be constructed, and with reference to the memorial of the National Assembly stating that assemblies of Shuntien and the remaining several provinces have presented memoranda praying for the more speedy opening of the Parliament and so forth; these telegrams and memorial were upon receipt handed to the Grand Council and the Government Council for their joint perusal and discussion.

Thereafter the princes and ministers in these bodies each expressed their views thereon presenting them to the throne in the form of memoranda. They were received in audience on November 3, and were interrogated in detail. The question was thoroughly debated upon, and their views thereon were well nigh unanimous. Since the time in the previous reign, when a period was settled for establishment of a constitutional government, and preparations were made therefor year by year, we recognized with respect the import of this behest; and we have been night and day in apprehension, nor at any time have we not held in our intent the desire to administer in correspondence with His purpose. But even as we have not ventured in the least to delay, so likewise have we not ventured upon haste disproportionate to the circumstances. Upon two occasions has the Court of Censors memorialized requesting the more speedy opening of the parliament. On both occasions have we very distinctly notified that at that time it was our object to proceed in appreciation of the importance of this act of government, and that therefore sincerely we could not but continue in the exercise of circumspection. Yet now in gauging conditions of the time, they are found to differ in every breath and in every twinkling of an eye; and the menace of existing circumstances becomes daily greater. The throne is night and day in perturbation of mind, in its anxiety to avert and save. The only course is quickly to proceed to constitutional government in order to bring about an improvement daily progressive. No need for the high ministers and the people to beg and pray. We ourselves have arrived at this conclusion. Yet do we fear that the popular intelligence is still not entirely opened out; nor do the monetary resources suffice to cover the

¹ North-China Herald, November 11, 1910.

requirements. If measures are taken too rapidly then perhaps there is ground for a fear that the desire for dispatch will eventuate in nothing attained. Consequently the only course was to examine the *pros* and the *cons* of popular sentiment and then would the throne decide for or against. It is evident now that the prayers of the representatives of the people proceed from extreme sincerity. The majority of the ministers and officers of the metropolis and the provinces are in favor of quickly proceeding; the feelings of the people have burst forth and the views of the multitude are at one. The representatives must assuredly have a grasp of the public duties for which the people should be responsible. The throne should examine and ascertain the wishes of the officials and the people and correspond with the public view of what is good or bad.

Before assembling the parliament the principal preparations must first be made. The matter is of such great weight and the issues involved are so numerous that this cannot be brought to a conclusion in less than one or two years.

It is accordingly commanded that the date originally fixed for the establishment of the parliament be changed to the 5th year of Hsuan Tung, namely 1913. In the first place the official system will be arranged and will be put into experimental operation, and then the cabinet must be organized; thereafter in compliance with the Imperial decision to lay down constitutional laws, a code of constitutional law will be formed; then further the laws governing the parliament and election of the officers of the upper and lower houses and matters affecting the system of constitutional government, which must first be put into operation, shall all be taken in hand at the same time, and shall all be completely prepared before the assembling of parliament, and shall be the subject of memorials, requesting their Imperial promulgation. There must not be the least delay or omission. In fine, all doubt being now disposed of, the project can be arranged, decided and brought to completion. This shortening of the time limit is the result of taking opinions from memorials of the viceroys and governors, and of the most careful counsel and discussion of the princes and ministers who have requested the Imperial decision. It follows from full deliberation, co-operative consultation and choice of what is most fitted. Consequently there must be no delay; but likewise there must be no further haste, and the matter must be regarded as definitely settled. The time limit is thus finally promulgated, and on no account whatever can there be further discussion as to changing it.

Let the metropolitan and provincial high officers observe that they should co-operate in efforts to proceed, and should come to the assistance of the difficulties of the times. The responsibilities of the viceroys and governors are especially weighty. In making the various local preparations, the officials should be most strictly on the alert in supervising and directing their subordinates to take quick and proper measures, and to let the matter no longer remain a name and not a fact, and not to permit it to be blocked or obstructed with empty talk. They must act so that point by point is completed, and so that time by time there is progress; and no matter how much difficulty may be involved they should make endeavors to correspond to their responsibilities. If perchance there is any neglect or omission or any attempt to acquire fictitious merit, severe punishment will certainly result, without the least leniency or clemency. The officials have the responsibility of general supervision; the people, too, have before them an order of things with which they should comply. If hereafter there are any ignorant and witless folk who raise pretexts for fanning popular excitement, in the hope perchance, of creating a breach in this scheme, or of stepping beyond the bounds laid down, this will be equivalent to creating a disturbance of the peace, and punishment in accordance with the law must forthwith ensue; and by no means will it be permitted that the path forward to constitutional government shall be obstructed; that thus good results may be expected to follow at the appointed time; and that we may behold completion at an early day; giving in heaven repose to the spirit of the former monarch; and on earth repose to the importunate hopes of the people within the four seas, let this edict be universally known. Such is the Imperial command.

The same day a further Imperial Edict was received as follows:—

“The Imperial directions have now been given that the time when the parliament shall be established, shall be the 5th year of Hsuan Tung (1913). The Board of the Interior, and the provincial viceroys and governors shall now firmly instruct and order the representatives of the provinces at once to disperse and return, each following his calling in peace, and quietly awaiting the arrangement of all details by the throne. Such is the Imperial command.”

(Signed and sealed by the Prince Regent, the Grand Council, the Prince and Ministers, etc., etc.)

FINAL ACT OF THE INTERNATIONAL MARINE CONFERENCE HELD AT WASHINGTON, OCTOBER 16 TO DECEMBER 31, 1889.¹

The President of the United States of America, in pursuance of a special provision of Congress, having extended to the Governments of all maritime nations in diplomatic relations with his own, an invitation to send delegates to a Maritime Conference to meet in the city of Washington on the 16th of October, 1889, to discuss, revise, and amend the rules, regulations, and practice concerning vessels at sea and navigation generally, this International Marine Conference assembled at the time and place designated, and, after careful and patient discussion and consideration of the entire programme, passed the following resolutions upon the subjects contained under the various general divisions:

¹ Transmitted to the Secretary of State of the United States with the following letter:

INTERNATIONAL MARINE CONFERENCE,

Washington, December 31, 1889.

Hon. James G. Blaine,

Secretary of State, Department of State.

Sir:

I have the honor to inform you that the Conference, at a session held on December 30, 1889, upon motion of the first delegate for France, passed the following resolution:

“Resolved, That a final act be printed showing for each division of the programme, and in the order of the divisions, the resolutions adopted by the Conference.

“This act to be signed in the name of the Conference by the President and the Secretary.”

In compliance with this resolution I have the honor to transmit said Final Act.

The Conference recommend that a copy of this Final Act be transmitted to the various powers represented.

The following governments sent delegates to the Conference:

Austria-Hungary, Belgium, Brazil, Chili, China, Costa Rica, Denmark, France, Germany, Great Britain, Guatemala, Hawaii, Honduras, Italy, Japan, Mexico, Netherlands, Nicaragua, Norway, Portugal, Russia, Siam, Spain, Sweden, Turkey, Uruguay, Venezuela, and United States.

In the name of the International Marine Conference,

I am, sir, very respectfully, your most obedient servant,

S. R. FRANKLIN, *Rear-Admiral, U. S. Navy, President.*

V. L. COTTMAN, *Lieutenant, U. S. Navy, Secretary.*

GENERAL DIVISION 1.

Marine signals or other means of plainly indicating the direction in which vessels are moving in fog, mist, falling snow, and thick weather, and at night.

RULES FOR THE PREVENTION OF COLLISIONS AND RULES OF THE ROAD.

1. Visibility, number, and position of lights to be carried by vessels.
 - (a) Steamers under way.
 - (b) Steamers towing.
 - (c) Vessels under way, but not under command, including steamers laying cable.
 - (d) Sailing vessels under way.
 - (e) Sailing vessels towing.
 - (f) Vessels at anchor.
 - (g) Pilot vessels.
 - (h) Fishing vessels.
2. Sound signals; their character, number, range, and position of instruments.
 - (a) For use in fog, mist, falling snow, and thick weather, as position signals.
For steamers under way.
For steamers towing.
For sailing vessels under way.
For sailing vessels towing.
(These signals to show approximate course steered if possible.)
For vessels at anchor.
For vessels under way, but not under command, including steamers laying cable.
 - (b) For use in all weather as helm signals only.
For steamers meeting or crossing.
For steamers overtaking.
For steamers backing.
 - (c) Whether helm signals shall be made compulsory or remain optional.
3. Steering and sailing rules.
 - (a) Sailing vessels meeting, crossing, overtaking, or being overtaken by each other.
 - (b) Steamers meeting, crossing, overtaking, or being overtaken by each other.

- (c) Sailing-vessels meeting, crossing, overtaking, or being overtaken by steamers.
- (d) Steamers meeting, crossing, overtaking, or being overtaken by sailing-vessels.
- (e) Special rules for channels and tide-ways, where no local rules exist.
- (f) Conflict of international and local rules.
- (g) Uniform system of commands to the helm.
- (h) Speed of vessels in thick weather.

Resolved, That in the opinion of the Conference it is inexpedient to adopt course-indicating sound-signals in foggy or thick weather; inasmuch as among the other strong reasons presented by the Sound-Signal Committee, if such signals were used in crowded waters, danger would result from the uncertainty and confusion produced by a multiplicity of signals, and from the false security that would be created in the minds of mariners, and if vessels were navigated in dependence on such signals, when neither could see the other, there would be danger that the officer in charge might read the signal incorrectly, or, if he read it correctly, would interpret it wrongly.

REGULATIONS FOR PREVENTING COLLISIONS AT SEA.

PRELIMINARY.

These rules shall be followed by all vessels upon the high seas and in all waters connected therewith, navigable by sea-going vessels.

In the following rules every steam-vessel which is under sail and not under steam is to be considered a sailing vessel, and every vessel under steam, whether under sail or not, is to be considered a steam-vessel.

The word "*steam-vessel*" shall include any vessel propelled by machinery.

A vessel is "*under way*" within the meaning of these rules, when she is not at anchor, or made fast to the shore, or aground.

RULES CONCERNING LIGHTS, ETC.

The word "*visible*" in these rules, when applied to lights, shall mean visible on a dark night with a clear atmosphere.

Article 1. The rules concerning lights shall be complied with in all weathers from sunset to sunrise, and during such time no other lights which may be mistaken for the prescribed lights shall be exhibited.

Art. 2. A steam-vessel when under way shall carry :

(a) On or in front of the foremast, or if a vessel without a foremast, then in the fore part of the vessel, at a height above the hull of not less than 20 feet, and if the breadth of the vessel exceeds 20 feet, then at a height above the hull not less than such breadth, so however, that the light need not be carried at a greater height above the hull than 40 feet, a bright white light, so constructed as to show an unbroken light over an arc of the horizon of 20 points of the compass, so fixed as to throw the light 10 points on each side of the vessel, viz., from right ahead to 2 points abaft the beam on either side, and of such a character as to be visible at a distance of at least 5 miles.

(b) On the starboard side a green light so constructed as to show an unbroken light over an arc of the horizon of 10 points of the compass, so fixed as to throw the light from right ahead to 2 points abaft the beam on the starboard side, and of such a character as to be visible at a distance of at least 2 miles.

(c) On the port side a red light so constructed as to show an unbroken light over an arc of the horizon of 10 points of the compass, so fixed as to throw the light from right ahead to 2 points abaft the beam on the port side, and of such a character as to be visible at a distance of at least 2 miles.

(d) The said green and red side-lights shall be fitted with inboard screens projecting at least 3 feet forward from the light, so as to prevent these lights from being seen across the bow.

(e) A steam-vessel when under way may carry an additional white light similar in construction to the light mentioned in subdivision (a). These two lights shall be so placed in line with the keel that one shall be at least 15 feet higher than the other, and in such a position with reference to each other that the lower light shall be forward of the upper one. The vertical distance between these lights shall be less than the horizontal distance.

Art. 3. A steam-vessel when towing another vessel shall, in addition to her side-lights, carry two bright white lights in a vertical line one over the other, not less than 6 feet apart, and when towing more than one vessel shall carry an additional bright white light 6 feet above or below such lights, if the length of the tow, measuring from the stern of the towing vessel to the stern of the last vessel towed, exceeds 600 feet. Each of these lights shall be of the same construction and character, and shall be carried in the same position as the white light men-

tioned in Article 2 (a), except the additional light, which may be carried at a height of not less than 14 feet above the hull.

Such steam-vessel may carry a small white light abaft the funnel or after-mast for the vessel towed to steer by, but such light shall not be visible forward of the beam.

Art. 4. (a) A vessel which from any accident is not under command shall carry at the same height as the white light mentioned in Article 2 (a), where they can best be seen, and if a steam-vessel in lieu of that light, two red lights, in a vertical line one over the other, not less than 6 feet apart, and of such a character as to be visible all round the horizon at a distance of at least 2 miles; and shall by day carry in a vertical line one over the other, not less than 6 feet apart, where they can best be seen, two black balls or shapes, each 2 feet in diameter.

(b) A vessel employed in laying or in picking up a telegraph cable shall carry in the same position as the white light mentioned in Article 2 (a), and if a steam-vessel in lieu of that light, three lights in a vertical line one over the other, not less than 6 feet apart. The highest and lowest of these lights shall be red, and the middle light shall be white, and they shall be of such a character as to be visible all round the horizon, at a distance of at least 2 miles. By day she shall carry a vertical line one over the other, not less than 6 feet apart, where they can best be seen, three shapes not less than 2 feet in diameter, of which the highest and lowest shall be globular in shape and red in color, and the middle one diamond in shape and white.

(c) The vessels referred to in this Article, when not making way through the water, shall not carry the side-lights, but when making way shall carry them.

(d) The lights and shapes required to be shown by this Article are to be taken by other vessels as signals that the vessel showing them is not under command and can not therefore get out of the way.

These signals are not signals of vessels in distress and requiring assistance. Such signals are contained in Article 31.

Art. 5. A sailing vessel under way, and any vessel being towed shall carry the same lights as are prescribed by Article 2 for a steam-vessel under way, with the exception of the white lights mentioned therein, which they shall never carry.

Art. 6. Whenever, as in the case of small vessels under way during bad weather, the green and red side-lights can not be fixed, these lights shall be kept at hand, lighted and ready for use; and shall, on the

approach of or to other vessels, be exhibited on their respective sides in sufficient time to prevent collision, in such manner as to make them most visible, and so that the green light shall not be seen on the port side nor the red light on the starboard side, nor if practicable more than 2 points abaft the beam on their respective sides.

To make the use of these portable lights more certain and easy, the lanterns containing them shall each be painted outside with the color of the light they respectively contain, and shall be provided with proper screens.

Art. 7. Steam-vessels of less than 40, and vessels under oars or sails of less than 20 tons, gross tonnage, respectively, when under way, shall not be obliged to carry the lights mentioned in Article 2 (a), (b) and (c), but if they do not carry them they shall be provided with the following lights:

1. Steam-vessels of less than 40 tons shall carry:

(a) In the fore part of the vessel, or on or in front of the funnel, where it can best be seen, and at a height above the gunwale of not less than 9 feet, a bright white light constructed and fixed as prescribed in Article 2 (a), and of such a character as to be visible at a distance of at least 2 miles.

(b) Green and red side-lights constructed and fixed as prescribed in Article 2 (b) and (c), and of such a character as to be visible at a distance of at least 1 mile, or a combined lantern showing a green light and a red light from right ahead to 2 points abaft the beam on their respective sides. Such lantern shall be carried not less than 3 feet below the white light.

2. Small steam-boats, such as are carried by sea-going vessels, may carry the white light at a less height than 9 feet above the gunwale, but it shall be carried above the combined lantern, mentioned in subdivision 1 (b).

3. Vessels under oars or sails, of less than 20 tons, shall have ready at hand a lantern with a green glass on one side and a red glass on the other, which, on the approach of or to other vessels, shall be exhibited in sufficient time to prevent collision, so that the green light shall not be seen on the port side nor the red light on the starboard side.

The vessels referred to in this Article shall not be obliged to carry the lights prescribed by Article 4 (a), and Article 11, last paragraph.

Art. 8. Pilot vessels, when engaged on their station on pilotage duty, shall not show the lights required for other vessels, but shall carry a

white light at the masthead visible all round the horizon, and shall also exhibit a flare-up light or flare-up lights at short intervals, which shall never exceed 15 minutes.

On the near approach of or to other vessels they shall have their side lights lighted, ready for use, and shall flash or show them at short intervals, to indicate the direction in which they are heading, but the green light shall not be shown on the port side, nor the red light on the starboard side.

A pilot vessel of such a class as to be obliged to go alongside of a vessel to put a pilot on board, may show the white light instead of carrying it at the masthead, and may, instead of the colored lights above mentioned, have at hand ready for use a lantern with a green glass on the one side and a red glass on the other, to be used as prescribed above.

Pilot vessels when not engaged on their station on pilotage duty, shall carry lights similar to those of other vessels of their tonnage.

Art. 9. Fishing vessels and fishing boats when under way and when not required by this Article to carry or show the lights therein named, shall carry or show the lights prescribed for vessels of their tonnage under way.

(a) Vessels and boats when fishing with drift nets shall exhibit two white lights from any part of the vessel where they can best be seen. Such lights shall be placed so that the vertical distance between them shall be not less than 6 feet and not more than 10 feet, and so that the horizontal distance between them, measured in a line with the keel, shall be not less than 5 feet and not more than 10 feet. The lower of these two lights shall be the more forward, and both of them shall be of such a character as to show all round the horizon, and to be visible at a distance of not less than 3 miles.

(b) Vessels when engaged in trawling, by which is meant the dragging of an apparatus along the bottom of the sea —

1. If steam-vessels, shall carry in the same position as the white light mentioned in Article 2 (a), a tricolored lantern so constructed and fixed as to show a white light from right ahead to 2 points on each bow, and a green light and a red light over an arc of the horizon from 2 points on either bow to 2 points abaft the beam on the starboard and port side respectively; and not less than 6 nor more than 12 feet below the tricolored lantern, a white light in a lantern, so constructed as to show a clear uniform and unbroken light all round the horizon.

2. If sailing-vessels of 7 tons gross tonnage and upwards, shall carry

a white light in a lantern, so constructed as to show a clear uniform and unbroken light all round the horizon, and shall also be provided with a sufficient supply of red pyrotechnic lights, which shall each burn for at least 30 seconds, and shall be shown on the approach of or to other vessels in sufficient time to prevent collision.

In the Mediterranean Sea, the vessels referred to in subdivision (b) 2, may use a flare-up light in lieu of a pyrotechnic light.

All lights mentioned in subdivision (b) 1 and 2, shall be visible at a distance of at least 2 miles.

3. If sailing-vessels of less than 7 tons gross tonnage, shall not be obliged to carry the white light mentioned in subdivision (b) 2 of this Article, but if they do not carry such light, they shall have at hand, ready for use, a lantern showing a bright white light, which shall, on the approach of or to other vessels be exhibited where it can best be seen, in sufficient time to prevent collision; and they shall also show a red pyrotechnic light, as proscribed in subdivision (b) 2, or, in lieu thereof a flare-up light.

(c) Vessels and boats when line-fishing with their lines out and attached to their lines, and when not at anchor or stationary, shall carry the same lights as vessels fishing with drift-nets.

(d) Fishing vessels and fishing boats may at any time use a flare-up lights in addition to the lights which they are by this Article required to carry and show. All flare-up lights exhibited by a vessel when trawling or fishing with any kind of drag-net shall be shown at the after part of the vessel, excepting that, if the vessel is hanging by the stern to her fishing gear, they shall be exhibited from the bow.

(e) Every fishing vessel and every boat when at anchor shall exhibit a white light visible all round the horizon at a distance of at least 1 mile.

(f) If a vessel or boat when fishing becomes stationary in consequence of her gear getting fast to a rock or other obstruction, she shall show the light and make the fog-signal prescribed for a vessel at anchor, respectively. (*See Article 15 (d), (e) and last paragraph.*)

(g) In fog, mist, falling snow, or heavy rain-storms, drift-net vessels attached to their nets, and vessels when trawling, dredging, or fishing with any kind of drag-nets, and vessels line-fishing with their lines out, shall, if of 20 tons gross tonnage or upwards, respectively, at intervals of not more than one minute make a blast; if steam-vessels with the whistle or siren, and if sailing vessels with the fog-horn, each blast to be followed by ringing the bell.

(h) Sailing vessels or boats fishing with nets or lines or trawls, when under way, shall in daytime indicate their occupation to an approaching vessel by displaying a basket or other efficient signal, where it can best be seen.

The vessels referred to in this Article shall not be obliged to carry the lights prescribed by Article 4 (a) and Article 11, last paragraph.

Art. 10. A vessel which is being overtaken by another shall show from her stern to such last-mentioned vessel a white light or a flare-up light. The white light required to be shown by this Article may be fixed and carried in a lantern, but in such case the lantern shall be so constructed, fitted, and screened that it shall throw an unbroken light over an arc of the horizon of 12 points of the compass, viz., for 6 points from right aft on each side of the vessel, so as to be visible at a distance of at least 1 mile. Such light shall be carried as nearly as practicable on the same level as the side lights.

Art. 11. A vessel under 150 feet in length, when at anchor, shall carry forward, where it can best be seen, but at a height not exceeding 20 feet above the hull, a white light in a lantern so constructed as to show a clear, uniform, and unbroken light visible all round the horizon at a distance of at least 1 mile.

A vessel of 150 feet or upwards in length, when at anchor, shall carry in the forward part of the vessel, at a height of not less than 20 and not exceeding 40 feet above the hull, one such light, and at or near the stern of the vessel, and at such a height that it shall be not less than 15 feet lower than the forward light, another such light.

The length of a vessel shall be deemed to be the length appearing in her certificate of registry.

A vessel aground in or near a fair-way shall carry the above light or lights and the two red lights prescribed by Article 4 (a).

Art. 12. Every vessel may, if necessary in order to attract attention, in addition to the lights which she is by these rules required to carry, show a flare-up light or use any detonating signal that can not be mistaken for a distress signal.

Art. 13. Nothing in these rules shall interfere with the operation of any special rules made by the Government of any nation, with respect to additional station and signal lights for two or more ships of war or for vessels sailing under convoy, or with the exhibition of recognition signals adopted by ship-owners, which have been authorized by their respective Governments and duly registered and published.

Art. 14. A steam-vessel proceeding under sail only, but having her funnel up, shall carry in day-time, forward, where it can best be seen, one black ball or shape 2 feet in diameter.

SOUND-SIGNALS FOR FOG, ETC.

Art. 15. All signals prescribed by this Article for vessels under way shall be given:

1. By "*Steam-vessels*" on the whistle or siren.

2. By "*Sailing vessels and vessels towed*" on the fog-horn.

The words "*prolonged blast*" used in this Article, shall mean a blast of from four to six seconds duration.

A steam-vessel shall be provided with an efficient whistle or siren, sounded by steam or some substitute for steam, so placed that the sound may not be intercepted by any obstruction, and with an efficient fog-horn, to be sounded by mechanical means, and also with an efficient bell. A sailing vessel of 20 tons gross tonnage or upwards shall be provided with a similar fog-horn and bell.

In fog, mist, falling snow, or heavy rain-storms, whether by day or night, the signals described in this Article shall be used as follows, viz:

(a) A steam-vessel having way upon her shall sound, at intervals of not more than 2 minutes, a prolonged blast.

(b) A steam-vessel under way, but stopped and having no way upon her, shall sound, at intervals of not more than 2 minutes, 2 prolonged blasts, with an interval of about 1 second between them.

(c) A sailing vessel under way shall sound, at intervals of not more than 1 minute, when on the starboard tack 1 blast, when on the port tack 2 blasts in succession, and when with the wind abaft the beam 3 blasts in succession.

(d) A vessel, when at anchor, shall, at intervals of not more than 1 minute, ring the bell rapidly for about 5 seconds.

(e) A vessel, at anchor, at sea, when not in ordinary anchorage ground and when in such a position as to be an obstruction to vessels under way, shall sound, if a steam-vessel, at intervals of not more than 2 minutes, 2 prolonged blasts with her whistle or siren, followed by ringing her bell; or, if a sailing vessel, at intervals of not more than 1 minute, 2 blasts with her fog-horn, followed by ringing her bell.

NOTE. — In all cases where the rules require a bell to be used a drum may be substituted on board Turkish vessels, or a gong where such articles are used on board small sea-going vessels.

(f) A vessel, when towing, shall, instead of the signals prescribed in subdivisions (a) and (c) of this article, at intervals of not more than 2 minutes, sound 3 blasts in succession, viz: 1 prolonged blast followed by 2 short blasts. A vessel towed may give this signal, and she shall not give any other.

(g) A steam-vessel wishing to indicate to another "the way is off my vessel, you may feel your way past me," may sound 3 blasts in succession, viz: short, long, short, with intervals of about 1 second between them.

(h) A vessel employed in laying or in picking up a telegraph cable shall, on hearing the fog-signal of an approaching vessel, sound in answer 3 prolonged blasts in succession.

(i) A vessel under way, which is unable to get out of the way of an approaching vessel through being not under command or unable to manœuvre as required by these rules, shall, on hearing the fog-signal of an approaching vessel, sound in answer 4 short blasts in succession.

Sailing-vessels and boats of less than 20 tons gross tonnage shall not be obliged to give the above-mentioned signals, but if they do not they shall make some other efficient sound signal at intervals of not more than 1 minute.

SPEED OF SHIPS TO BE MODERATE IN FOG, ETC.

Art. 16. Every vessel shall, in a fog, mist, falling snow, or heavy rain-storms, go at a moderate speed, having careful regard to the existing circumstances and conditions.

A steam-vessel hearing, apparently forward of her beam, the fog-signal of a vessel the position of which is not ascertained, shall, so far as the circumstances of the case admit, stop her engines, and then navigate with caution until danger of collision is over.

STEERING AND SAILING RULES.

PRELIMINARY — RISK OF COLLISION.

Risk of collision can, when circumstances permit, be ascertained by carefully watching the compass bearing of an approaching vessel. If the bearing does not appreciably change, such risk should be deemed to exist.

Art. 17. When two sailing vessels are approaching one another, so as to involve risk of collision, one of them shall keep out of the way of the other as follows, viz:

(a) A vessel which is running free shall keep out of the way of a vessel which is close-hauled.

(b) A vessel which is close-hauled on the port tack shall keep out of the way of a vessel which is close-hauled on the starboard tack.

(c) When both are running free, with the wind on different sides, the vessel which has the wind on the port side shall keep out of the way of the other.

(d) When both are running free, with the wind on the same side, the vessel which is to windward shall keep out of the way of the vessel which is to leeward.

(e) A vessel which has the wind aft shall keep out of the way of the other vessel.

Art. 18. When two steam-vessels are meeting end on, or nearly end on, so as to involve risk of collision, each shall alter her course to starboard, so that each may pass on the port side of the other.

This Article only applies to cases where vessels are meeting end on, or nearly end on, in such a manner as to involve risk of collision, and does not apply to two vessels which must, if both keep on their respective courses, pass clear of each other.

The only cases to which it does apply are, when each of the two vessels is end on, or nearly end on, to the other; in other words, to cases in which, by day, each vessel sees the masts of the other in a line, or nearly in a line, with her own; and by night, to cases in which each vessel is in such a position as to see both the side lights of the other.

It does not apply, by day, to cases in which a vessel sees another ahead crossing her own course; or by night, to cases where the red light of one vessel is opposed to the red light of the other, or where the green light of one vessel is opposed to the green light of the other, or where a red light without a green light, or a green light without a red light, is seen ahead, or where both green and red lights are seen anywhere but ahead.

Art. 19. When two steam-vessels are crossing, so as to involve risk of collision, the vessel which has the other on her own starboard side shall keep out of the way of the other.

Art. 20. When a steam-vessel and a sailing-vessel are proceeding in such directions as to involve risk of collision, the steam-vessel shall keep out of the way of the sailing-vessel.

Art. 21. Where by any of these rules one of two vessels is to keep out of the way, the other shall keep her course and speed.

Art. 22. Every vessel which is directed by these rules to keep out of the way of another vessel shall, if the circumstances of the case admit, avoid crossing ahead of the other.

Art. 23. Every steam-vessel which is directed by these rules to keep out of the way of another vessel shall, on approaching her, if necessary slacken her speed, or stop, or reverse.

Art. 24. Notwithstanding anything contained in these rules, every vessel overtaking any other, shall keep out of the way of the over-taken vessel.

Every vessel coming up with another vessel from any direction more than two points abaft her beam, *i. e.*, in such a position, with reference to the vessel which she is overtaking, that at night she would be unable to see either of that vessel's side lights, shall be deemed to be an overtaking vessel; and no subsequent alteration of the bearing between the two vessels shall make the overtaking vessel a crossing vessel within the meaning of these rules, or relieve her of the duty of keeping clear of the overtaken vessel until she is finally past and clear.

As by day the overtaking vessel can not always know with certainty whether she is forward of or abaft this direction from the other vessel, she should, if in doubt, assume that she is an overtaking vessel and keep out of the way.

Art. 25. In narrow channels every steam-vessel shall, when it is safe and practicable, keep to that side of the fair-way or mid-channel which lies on the starboard side of such vessel.

Art. 26. Sailing-vessels under way shall keep out of the way of sailing-vessels or boats fishing with nets, or lines, or trawls. This rule shall not give to any vessel or boat engaged in fishing the right of obstructing a fair-way used by vessels other than fishing-vessels or boats.

Art. 27. In obeying and construing these rules, due regard shall be had to all dangers of navigation and collision, and to any special circumstances which may render a departure from the above rules necessary in order to avoid immediate danger.

SOUND SIGNALS FOR VESSELS IN SIGHT OF ONE ANOTHER.

Art. 28. The words "*short blast*" used in this article shall mean a blast of about one second's duration.

When vessels are in sight of one another, a steam-vessel under way, in taking any course authorized or required by these rules, shall indicate that course by the following signals on her whistle or siren, viz:

One short blast to mean, "I am directing my course to starboard."
Two short blasts to mean, "I am directing my course to port."
Three short blasts to mean, "My engines are going full speed astern."

NO VESSEL, UNDER ANY CIRCUMSTANCES, TO NEGLECT PROPER PRECAUTIONS.

Art. 29. Nothing in these rules shall exonerate any vessel, or the owner, or master, or crew thereof, from the consequences of any neglect, to carry lights or signals, or of any neglect to keep a proper lookout, or of the neglect of any precaution which may be required by the ordinary practice of seamen, or by the special circumstances of the case.

RESERVATION OF RULES FOR HARBORS AND INLAND NAVIGATION.

Art. 30. Nothing in these rules shall interfere with the operation of a special rule, duly made by local authority, relative to the navigation of any harbor, river, or inland waters.

DISTRESS SIGNALS.

Art. 31. When a vessel is in distress, and requires assistance from other vessels or from the shore, the following shall be the signals to be used or displayed by her, either together or separately, viz:

In the day-time — (1) A gun fired at intervals of about a minute; (2) The International Code signal of distress indicated by N C; (3) The distant signal, consisting of a square flag, having either above or below it a ball or anything resembling a ball; (4) Rockets or shells, as prescribed below, for use at night; (5) A continuous sounding with any fog-signal apparatus.

At night — (1) A gun fired at intervals of about a minute; (2) Flames on the vessel (as from a burning tar-barrel, oil-barrel, etc.); (3) Rockets or shells, bursting in the air with a loud report and throwing stars of any color or description, fired one at a time at short intervals; (4) A continuous sounding with any fog-signal apparatus.

The following resolutions have been approved of by the Conference, and are recommended to the attention of the Powers represented thereat in an Appendix to Rules of the Road:

1. The power of all lights should be expressed by referring them all to one standard, by which the light issuing from the lantern should be measured.

2. The minimum power only of each light should be definitely fixed, leaving it to the judgment of the parties responsible for fitting out the vessels with proper lanterns to employ lamps of this or greater power.

3. The use of incandescent lamps should be permitted; the use of arc lights at present should be excluded for all purposes other than signaling and searching.

4. Each lantern should be so constructed that the minimum power of light can be found at every point where the light is to be visible, after the lamp has been fitted with proper screens.

5. The lanterns should be so constructed as to insure the light having at least the required minimum power in the ideal line connecting the lantern with the horizon, even though the vessel be heeled one way or the other 10 degrees.

6. The color of the glasses by which the coloring of the light is to be produced should be so chosen that, if possible, the red light shall have no admixture of green, nor the green light of red rays, and that both colors can be readily and unmistakably distinguished.

7. No detailed description should be internationally adopted for the construction of the lamp or lantern, so that a fair chance may be given to inventors to produce serviceable articles.

8. The side lights should be so screened as to prevent the most convergent rays of the lights being seen across the bows more than half a point.

9. The side lights should be placed in steam-vessels not forward of the mast-head light.

10. To meet the number of complaints as to the absence of proper lights on sailing vessels, the attention of the Powers is called to the better enforcement of the regulations in that behalf.

11. All steam-whistles, sirens, fog-horns, and bells should be thoroughly tested as to their efficiency, and should be capable of being heard at a stated minimum distance, and should be so regulated that the tones of whistles and sirens should be as distinct as possible from the sound of fog-horns.

12. Steam-vessels should be provided, if possible, with means of blowing off surplus steam, when the engines are stopped, in such a manner as to occasion as little noise as possible.

13. In clear weather at sea no vessel should attempt to cross the bows of the leaders of any squadron of three or more ships-of-war in regular formation, nor unnecessarily to pass through the lines of such squadron.

14. In every case of collision between two vessels it should be the duty of the master or person in charge of each vessel, if and so far as he can do so without serious danger to his own vessel, crew, and passen-

gers (if any), to stay by the other vessel until he has ascertained that she has no need of further assistance, and to render to the other vessel, her master, crew, and passengers (if any), such assistance as may be practicable and as may be necessary in order to save them from any danger caused by the collision, and also to give to the master or person in charge of the other vessel the name of his own vessel and her port of registry, or the port or place to which she belongs, and also the name of the ports and places from which and to which she is bound.

GENERAL DIVISION 2.

Regulations to determine the seaworthiness of vessels.

- (a) Construction of vessels.
- (b) Equipment of vessels.
- (c) Discipline of crew.
- (d) Sufficiency of crew.
- (e) Inspection of vessels.
- (f) Uniform certificates of inspection.

1. It is the opinion of the Conference, that upon the subjects contained in the sections of this division, no international rule could be made which would secure beneficial results. It is thought that the Conference would be limited in each case to a recommendation fixing a minimum for the objects which it is desired to secure under each of these sections. If such a minimum were made the legal requirement it would have an injurious effect upon the present standard of efficiency in many countries.

2. In other countries where such efficiency does not exist it is thought that it will be best secured by the same means which have secured it elsewhere, leaving each nation to modify such means in ways which will best adapt them to the particular methods of the respective governments.

3. Again, it is found that the present rules existing in different countries upon several of these questions are different in many respects, though probably equally efficient. It would therefore, become necessary, in forming an international rule in such cases, to recommend changes in the existing rules of several countries, which to some of them might be impracticable. This is thought to be undesirable. However, the Conference earnestly recommend that —

4. All vessels, whether propelled by steam or sail, should possess a margin of strength over and above that which is required to enable them

to perform the work for which they were designed and built. A chain, a bridge, or any other structure, the failure of which would entail the loss of human life, invariably has a considerable reserve of strength provided—in other words, the admitted working load is always much less than the computed strength, or the strength ascertained by actual test; certainly it is no less important that the hull of a vessel should contain a similar reserve.

5. To attempt to formulate rules for the construction of vessels of all sizes and for all trades would far exceed the province of this Conference, and besides, any arbitrary rules would probably much hamper the advance in design and the method of construction.

6. Therefore, to obtain as much as seems to be practicable in this direction, it is desirable to rely upon efficient and oft-repeated inspection, when, upon the least indication of distress or of rupture showing, very substantial additions should be made before the vessel is allowed to again proceed to sea.

7. Ocean-going steam-vessels which carry passengers should be additionally protected by having efficient bulkheads, so spaced that when any two compartments be filled with water, the vessels will still remain in a seaworthy condition; and two at least of the amidships bulkheads should be tested by water-pressure to the height of the deck next above the water-line.

GENERAL DIVISION 3.

Draft to which vessels should be restricted when loaded.

Uniform maximum load-mark.

The Conference are led to believe that notwithstanding the advantages which would be connected with the introduction of a uniform system of load-marks, this matter is not ripe for consideration by this Conference, and that it ought to be left to the negotiations to be carried on between the Governments of the maritime nations.

GENERAL DIVISION 4.

Uniform regulations regarding the designating and marking of vessels.

- (a) Position of name on vessel.
- (b) Position of name of port of registry on vessel.
- (c) Size of lettering.
- (d) Uniform system of draft-marks.

1. *The name of every registered merchant vessel shall be marked upon each bow and upon the stern, and the port of registry of every such vessel shall be marked upon the stern.*

These names shall be marked in Roman letters in a light color on a dark ground, or in a dark color on a light ground, and to be distinctly visible.

The smallest letters used shall not be less than four (4) inches high.

2. *The draft of every registered vessel shall be marked upon the stem and stern-post in English feet or decimeters, in either Arabic or Roman numerals. The bottom of each numeral shall indicate the draft to that line.*

GENERAL DIVISION 5.

Saving life and property from shipwreck.

1. Saving of life and property from shipwreck at sea.
 - (a) Duties of vessels after collision.
 - (b) Apparatus for life-saving to be carried on board ship. (Life-boats, life-preservers, life-rafts, pumps, and fire-extinguishing apparatus.)
 - (c) The use of oil and the necessary apparatus for its use.
 - (d) Uniform inspections as to (b) and (c).
2. Saving of life and property from shipwreck by operations from shore.
 - (a) Organization of, and methods employed by, life-saving institutions.
 - (b) The employment of drilled and disciplined crews at life-saving stations.
 - (c) The maintenance of a patrol upon dangerous coasts by night, and during thick weather by day, for warning off vessels standing into danger, and for the early discovery of wrecks.
 - (d) Uniform means of transmitting information between stranded vessels and the shore.
 - (e) Life-boats, life-saving apparatus and appliances.
3. Official inquiries into causes and circumstances of shipwrecks and other casualties.

1. *Resolved*, In every case of collision between two vessels, it shall be the duty of the master or person in charge of each vessel, if, and so far as he can do so without danger to his own vessel, crew and passengers

(if any), to stay by the other vessel until he has ascertained that she has no need of further assistance, and to render to the other vessel, her master, crew and passengers (if any), such assistance as may be practicable and as may be necessary in order to save them from any danger caused by the collision; and also to give to the master or person in charge of the other vessel the name of his own vessel and of her port of registry, or of the port or place to which she belongs, and also the names of the ports, and places from which and to which she is bound.

2. *Resolved*, That the Conference approve of the principle of the "Rules made by the Board of Trade of Great Britain under the Merchant Shipping (Life-Saving Appliances) Act, 1888," relating to boats and appliances to be carried on board ship for saving life; and recommend that the several Governments adopt measures to secure compliance with this principle in regard to such boats and appliances for vessels of 150 tons and upwards, gross tonnage.

It is also recommended that the principle of these rules be extended to all smaller craft, as far as practicable; and that each vessel of this class should carry at least one life-buoy of approved pattern and material, and for every person on board an efficient life-belt or jacket.

3. *Resolved*, That the Conference recommend that the several Governments require all their sea-going vessels to carry a sufficient quantity of animal or vegetable oil for the purpose of calming the sea in rough weather, together with suitable means for applying it.

4. *Resolved*, That the Conference recommend that all institutions for saving life from wrecked vessels prepare uniform instructions to mariners with reference to their co-operation with those attempting their rescue from the shore, and that said instructions include the following signals:

Upon the discovery of a wreck by night the life-saving force will burn a red pyrotechnic light or a red rocket to signify — "You are seen; assistance will be given as soon as possible."

A red flag waived on shore by day, or a red light, red rocket, or red Roman candle displayed by night, will signify — "Haul away."

A white flag waived on shore by day, or a white light slowly swung back and forth, or a white rocket or white Roman candle fired by night will signify — "Slack away."

Two flags, a white and a red, waived at the same time on shore by day, or two lights, a white and a red, slowly swung at the same time, or a blue pyrotechnic light burned by night, will signify — "Do not attempt to land in your own boats. It is impossible."

A man on shore beckoning, by day, or two torches burning near together, by night, will signify "This is the best place to land."

Any of these signals may be answered from the vessel as follows: In the day-time, by waiving a flag, a handkerchief, a hat, or even the hand; at night, by firing a rocket, a blue light, or a gun, or by showing a light over the ship's gunwale for a short time and then concealing it.

And it is recommended that the several governments take measures to keep all their sea-going vessels supplied with copies of such instructions.

Resolved, That the Conference recommend that the several nations provide by legislative enactments for official inquiry into the causes and circumstances of all shipwrecks and other serious casualties happening to their vessels.

If the maritime nations should agree upon uniform requirements in respect to life-saving apparatus to be carried on board ship, and as to the use of oil and the necessary apparatus for its use, uniform inspections might perhaps be advantageous, but it would be impossible to formulate an adequate system for this purpose without knowing definitely what those requirements might be; and even then it would be doubtful, considering the great diversity of administrative methods and machinery in different countries, whether any practicable system could be devised that would be acceptable to all.

The Conference have had before them a number of valuable papers describing the organization and methods of institutions for the saving of life from shipwreck and indicating the extent and results of their work. An examination of them clearly shows that these institutions are all managed by men whose hearts are in their work and who may be trusted to use every means known to them for perfecting the apparatus and methods employed for the rescue of unfortunates cast upon their shores. The organization of the service in each country must necessarily vary according to the condition and temper of the people and the character and habits of the coast population from which the men constituting the effective life-saving force must be drawn. It is, therefore, deemed impracticable to formulate any definite rules which would be applicable to all alike. It appears desirable, however, that the officers of every organization should study the features of the others, in order that they may adopt such improvements as seem suitable for their own. Some of the establishments appear to have been brought to a high degree of excellence.

It seems desirable that careful attention should be given to the frequent drilling and exercising of life-saving crews. It is also deemed important that a watch or patrol should, whenever practicable, be established upon dangerous coasts at night, and during thick weather by day, not only for the early discovery of wrecks, but in order to warn off vessels that may be incautiously standing into danger. Coast-guards are established in various countries for the prevention of smuggling, and where this is the case they can be utilized to give timely notice and assistance to life-saving crews, or even to constitute such crews as is already done in some countries.

With regard to special varieties of life-boats and other appliances, the Conference believe that the matter can be safely trusted to the judgment and discretion of the officers in charge of the life-saving institutions of the several countries. The requirements vary so greatly upon different coasts that boats and appliances effective in one place are often ill-adapted or useless in another. Besides, the preferences of the men employed have to be considered; they usually having greater confidence in particular models because they are accustomed to them. Confidence in the appliances a crew is required to use is, in general, an admitted essential to success. No one can judge of these matters so well as the officers whose duty it is to study the local conditions and who are thoroughly acquainted with the prejudices and habitudes of the men.

It is desirable that officers of life-saving institutions should generally communicate freely with each other with reference to any improvements that may occur to them, either in apparatus, methods, or organization, with a view both to the diffusion of information concerning such matters, and to establishing an international comity with regard to a beneficent work.

With reference to subsection *d*, "Uniform means of transmitting information between stranded vessels and the shore," the Conference would say that co-operation between mariners upon a wrecked vessel and those who wish to assist them upon shore is of the highest importance. The most earnest attempts at aid may be rendered nugatory if the shipwrecked are not aware of what is required of them. In order to secure this co-operation various means have been devised in maritime countries, such as attaching tally-boards to the lines of the beach apparatus, the publication of instructions in the official log-books distributed to vessels, the issuing of pamphlets or cards of such instructions, or the very excellent method of posting, in the fore-castle, or some convenient place in a

vessel, a durable placard showing by illustrations the manner in which life-saving lines are to be secured on board and giving necessary instructions relative thereto.

All these measures are good, but the instructions have not been as generally distributed among vessels of all nationalities as they should be, and with a view to the universal diffusion of this information it is recommended that a uniform system of issuing and distributing such instructions be adopted by the several maritime nations.

The Conference are also of the opinion that the instructions generally issued do not adequately provide for co-operation between the ship and the shore, and that they should be supplemented by a few simple signals for the purpose of direct communication. The International Code can often be used in the day-time, but a still simpler system should be provided for the few signals required. It is believed that the signals absolutely necessary can be reduced to very few, and that the adoption and publication of such a system would be of great benefit in the emergencies of shipwreck.

If it be determined to establish an international code of night-signals, such as is referred to in General Division 8 of the programme — “Night-Signals for Communicating Information at Sea” — the signals needed for communicating at night between wrecked vessels and the shore ought to be incorporated therein. If it should prove impracticable to adopt a system of night signals for the International Code, it may yet be worth considering whether the few signals needed for use at wrecks ought not to be adopted. Such a system is recommended by the Conference and will be found described in detail in the fourth resolution above. Every signal there mentioned has been found necessary in emergencies that have actually arisen in service.

GENERAL DIVISION 6.

Necessary qualifications for officers and seamen, including tests for sight and color-blindness.

- (a) A uniform system of examination for the different grades.
- (b) Uniform tests for visual power and color-blindness.
- (c) General knowledge of methods employed at life-saving stations.
- (d) Uniform certificates of qualification.

1. *Every man or boy going to sea as a seaman, or with the intention of becoming a seaman, should be examined for visual power and color-blindness; and no man or boy should be permitted to serve on board any*

vessel in the capacity of seaman, or where he will have to stand lookout, whose visual power is below one-half normal or who is red and green color-blind.

2. *Every man who shall qualify as an officer of a registered vessel or as a pilot after the adoption of these rules, except engineer officers, shall be required to have a certificate that he has the necessary visual power, and that he is not red and green blind. He shall also have a certificate that he is familiar with the regulations for preventing collisions at sea and with the duties required of him in co-operating with a life-saving station in case his vessel is stranded.*

3. *It is recommended that each country provide means which will enable any boy or man intending to go to sea to have his eyes examined for visual power and color-blindness, and to obtain a certificate of the result, also to enable the master of any vessel to have the eyes of any of his crew tested for the same purpose.*

It is the opinion of the Conference that defective visual power and color-blindness are sources of danger at sea. The first both by day and night, because of the inability of the short-sighted to see objects at a sufficient distance. Color-blindness is a source of danger, more especially at night, because of the inability of a color-blind person to distinguish between the red and green side-lights. The inability on the part of an officer or lookout to distinguish the color of buoys may be a cause of accident in broad daylight.

It is the opinion of the Conference, however, that tests for these defects need not be enforced in the cases of masters and mates who already occupy such positions.

The Conference purposely avoid making any recommendation as to the methods to be used in making such tests for visual power and color-blindness, or in conducting the necessary examinations for officers. It is thought that the desired objects will be best secured by leaving each country to employ the methods which may seem most suitable.

GENERAL DIVISION 7.

Lanes for steamers on frequented routes.

- (a) With regard to the avoidance of steamer collisions.
- (b) With regard to the safety of fishermen.

After consideration of various routes the Conference concluded to report only upon the North Atlantic route between ports of North

America and ports of Northern Europe as the route upon which there was apparently the greater demand for such lanes, if such could be advantageously laid down on any ocean or sea.

It appears that the adherence of fast steam passenger vessels to certain southerly routes would tend to the avoidance of fog and ice, and the Conference adopted a resolution to the effect that it was desirable during the spring and summer months that such vessels should follow a southern route which would clear the Banks of Newfoundland, and be likely to be clear of fog and ice, but when it came to proposing any plan to make such ocean lanes compulsory, the Conference found the subject one of such difficulty that they do not recommend a proposition of that nature.

The difficulty of enforcing the present rule providing for moderate speed in thick weather suggests what greater difficulties would be met with in enforcing lane routes if made compulsory, and it was not thought desirable to lay down routes by international agreement unless they were to be made compulsory for swift steamers.

Routes that might be proposed would be in danger of invasion by ice during the spring and summer months, and at all times would be crossed by sailing vessels and steamers going north and south. If laid down on parallels of latitude, which seemed to favor one sea-port at the expense of another, or the ports of one country at the expense of the ports of another country, they would arouse opposition that would probably prevent their adoption.

It is possible that even in the near future vessels may be employed of such power and speed that all such considerations may have to give way to the paramount consideration of safety, but, so far as shown to the Conference, present conditions do not seem to justify an international agreement to that effect. It was not shown to the Conference that collisions in midocean between fast ocean steamers had taken place, or that the danger was great enough to justify enforced adherence to certain lanes. Collisions between fast steam-ships, so far, have occurred nearer the coasts, where all tracks must converge.

The Conference believe, however, that the voluntary establishment of and adherence to particular routes by the different steam-ship companies for different seasons of the year is very desirable. In fact, the Conference are of the opinion that such action by the steam-ship companies, with the experience to be gained thereby, would be quite essential before any concerted action by the maritime powers could be profitably taken.

The Conference therefore strongly recommend that the companies

interested should, by mutual agreement, after consultation together, establish routes for the different lines, and make them public, in order that the hydrographic officers of the various Governments may publish them for the information of navigators.

The Conference have considered the opinions of several persons in the printed matter that has been laid before them. With the exception of one or two definite propositions, the literature before the Conference does not show how such lane routes could be laid down. Even those containing such propositions arrive at the conclusion that such routes could not be made compulsory.

With regard to the safety of fishermen upon the North Atlantic Ocean, the Conference are of the opinion that their safety would be best promoted by unceasing vigilance on the part of the fishermen, and by careful compliance by all with the present rules for the prevention of collisions, especially as to the efficiency of lights and sound-signals. If lanes were established which carried the fast steamers clear of the Banks frequented by the fishermen it might promote such a sense of security on their part as would tend to carelessness with reference to the rules as at present laid down, and lead to danger from the slower vessels which would still frequent the Banks.

During the months when the fishing vessels most frequent the Banks, the fear of encountering fog and ice leads many of the steamers to go south of them.

Quick passages are what the steam-vessels aim at in response to the public demand for swift passenger and mail service, and if they were compelled to obey existing rules regarding moderate speed in fogs at all times and in all places they would avoid the Banks still more in order to go clear of fogs; and thus it seems that the solution of the problem before the Conference, namely, of how to induce steam-ships of great speed to take safer routes to avoid fogs, ice, and danger of collision with fishermen and other vessels, is in compelling obedience to the present rules regarding moderate speed in thick weather. The enforcement of these rules would make it for the interest of such vessels to take routes comparatively clear of fogs and ice, and thus attain the end which compulsory legislation might fail to do.

From the correspondence placed before the Conference regarding the dangers of fishermen upon the Banks, it will be observed that vigilance regarding lights and sound-signals have been found efficient safeguards in most instances.

GENERAL DIVISION 8.

Night signals for communicating information at sea.

(a) A code to be used in connection with the International Code Signal Book.

(b) Or a supplementary code of limited scope to convey information of special importance to passing vessels.

(c) Distress signals.

With regard to subsections *a* and *b* of General Division 8, the Conference have considered systems of night signals with ordinary colored lights, but the objection exists that they can not be seen so far as a white light. It is the opinion of the Conference that night-signaling at sea can better be carried on by a system of long and short flashes from a white light than by any system in which colored lights are used.

The Conference have concluded that the systems of signaling by pyrotechnic lights, which have been brought to their notice, are too expensive for general use.

The Conference have had before them "A supplementary code of limited scope to convey information of special importance to passing vessels," which has been prepared by a committee of the British Board of Trade, and has been presented by the British Government to the various Powers for their consideration.

The Conference, after careful consideration, recommend the adoption, for optional use, of that supplementary code, with the following change: To strike out signal P. G., "Beware of derelict dangerous to navigation," and substitute in its place N. P., "I want assistance. Remain by me."

The Conference decided upon the following fog-signals, to be allotted to pilots and to vessels seeking pilots:

For vessels requiring pilots — a prolonged blast followed by a short blast, _____, _____.

For pilots wishing to offer their services — a short blast followed by a long blast, _____, _____.

And the Conference recommend that they be inserted in the International Code Book under the Pilot-Signals.

The Conference suggest that the complete alphabet of the Morse Code be inserted in the International Code Book for optional use.

GENERAL DIVISION 9.

Warnings of approaching storms.

- (a) The transmission of warnings.
- (b) The uniformity of signals employed.

The preparation of weather forecasts and the transmission of warnings regarding expected storms must, by the very nature of the subject, be dealt with locally; and it is in the opinion of the Conference very questionable whether any useful purpose would be gained by the adoption of uniformity of methods, except so far as the general progress of scientific knowledge indicates the direction of possible improvement, and this, it is hardly necessary to say, is more likely to be secured by work carried on independently rather than under any uniform system.

The Conference invite the maritime countries interested to take into consideration the best practical mode of signaling by day, whether by shapes, colored or black, by flags, or by the two combined, and by night, by means of lights, colored or white, arranged to represent distinctive forms, and the establishment of a uniform system of indicating storm warnings by day and by night, and that such a system should as far as possible include signals indicating whether the storm is approaching or has passed the station.

GENERAL DIVISION 10.

Reporting, marking, and removing dangerous wrecks or obstructions to navigation.

(a) A uniform method of reporting and marking dangerous wrecks and derelicts.

(b) The division of the labor, cost, and responsibility among the several maritime nations, either by geographical apportionment or otherwise:

Of the removal of dangerous derelicts;

And of searching for doubtful dangers with a view of removing them from the charts.

RESOLUTIONS SUBMITTED FOR THE CONSIDERATION OF THE POWERS.

1. That it is advisable to make it the duty of any of the officers, or of the crew of a wreck or derelict, to report as soon as possible after landing to the nearest harbor authority, if necessary through their consul, as follows:—

- (a) Name of the vessel abandoned.
- (b) Her distinguishing number.
- (c) Name of her home port, port from which she sailed, and place of destination.
- (d) General description of vessel and her rig.
- (e) Place where abandoned (latitude and longitude as near as possible).
- (f) Weather and current experienced before leaving the vessel, and in case she was a derelict the direction in which she would most likely drift.
- (g) Whether or not it is intended to take any steps toward her recovery.

2. That a similar report should be made to the same authorities by the master of any vessel sighting a wreck or derelict, and a suitable entry made in the ship's log.

3. That such reports should be published in "Notices to Mariners," the daily press, and, if necessary, by giving telegraphic information to the ports which it most concerns.

4. That it is advisable to make it the duty of every commander or master of a vessel to report the fact that an iceberg or dangerous field ice has been sighted, or a shoal, reef, or other obstruction has been discovered, to the harbor authorities or the hydrographic office of that country to which the port next reached belongs, giving a full description of the obstruction and all facts that may lead to the determination of its position; for instance, the time elapsed since the last reliable astronomical observation, and the rate of the chronometer. If the obstruction be a shoal or reef, the depth of water actually obtained by sounding on it should be given. Also when land is in sight the position of any off-lying shoal or reef should be determined by compass bearings of fixed objects in view, the error of the compass being stated, with information as to how and when that error was observed. Angles should also be taken between such objects, and a drawing of the coast and the position of the observer be added.

5. That whenever practicable it shall be the duty of the crew before abandoning a vessel (a) to hoist some distinctive signal, as: B C F, "abandoned by the crew," or C R T G, "Derelict," or a ball, shape, or other similar mark, where it can best be seen, and where it should not be mistaken for any other authorized signal; (b) to let go the sheets and halliards of such sails as are not furled.

6. That the different maritime powers interested in the navigation of that portion of the North Atlantic Ocean bordering the American coast and situated westward of a line drawn from the Bermuda Islands to Cape Race, Newfoundland, be invited to come to an agreement respecting the removal of derelicts in these waters under due official supervision.

7. That in countries which, by treaty, have acknowledged the extritoriality of subjects of other powers and their property, the consul or consuls concerned shall be instructed not to withhold his or their consent to the destruction of a wreck or parts thereof if it is shown that the wreck constitutes a danger to passing vessels, and if there is no apparent possibility that it will be removed within a reasonable time by the owners or the insurance companies interested.

GENERAL DIVISION 11.

Notice of dangers to navigation.

NOTICE OF CHANGES IN LIGHTS, BUOYS, AND OTHER DAY AND NIGHT MARKS.

(a) A uniform method of taking bearings, of designating them (whether true or magnetic), and of reporting them.

(b) A uniform method of reporting, indicating, and exchanging information by the several maritime nations — to include the form of notices to mariners.

(c) A uniform method of distributing this information.

The Conference invite the several maritime powers to consider the following resolutions with a view to establishing uniformity in the subjects treated in "Notices to Mariners" and "Light-Lists: "

1. That all bearings should be given from seaward.

2. That the bearings of cuts of different-colored sectors of lights or bearings of lights defining a narrow channel should be expressed in degrees where practicable.

3. That all bearings expressed in degrees should count from north and south, from 0° to 90°, towards east and west.

4. That in designating bearings the letter E shall designate east, and the letter W shall designate west.

5. That whenever bearings are given the variation of the compass at the place should be stated.

6. That distances should be expressed in nautical miles and fractions thereof. The word "cable" should mean the tenth part of a nautical mile.

7. That whenever the longitude of a position is given it should be stated which prime meridian is adopted, and if other than that of Greenwich or Paris, the difference of longitude should also be stated.

8. That in defining the visibility of a light it should be stated whether the distance is for "clear," or "mean" state of the weather.

9. That where the geographical range of a light is given it should be calculated as seen at high water from an observer 15 feet or 5 meters above the sea.

10. That a uniform classification of lights based on luminous intensity and on the character as seen by the mariner should be adopted.

11. That the central offices that issue "Notices to Mariners" or "Light Lists" should be permitted to correspond direct on such subjects.

12. That from countries where "Notices to Mariners" are published only in newspapers, copies of such papers should be sent to the various hydrographic offices.

GENERAL DIVISION 12.

A uniform system of buoys and beacons.

(a) Uniformity in color of buoys.

(b) Uniformity in numbering of buoys.

On the principle of using four colors to mark the four sides of a shoal, the Conference put forward the following scheme, based on the least change that would be necessary in altering the present system to a uniform plan; and they bring it to the notice of the countries interested, as an example showing that uniformity is attainable if they will agree to consider the subject:

All shoals marked on the compass system to be marked —

On the *North* side by a single black or white color.

South side by red.

East side by half red and half white combined.

West side by half white and half black combined.

On rocks, in fair-way, with channels on either hand, to be marked black or red, with horizontal bands.

If such colors were adopted, then the following changes of color would be necessary:

The marks on the *north* side of a shoal would remain colored black or white as they now are in all countries using the compass system.

The marks on the *south* side of a shoal would, in Norway, have to be changed from white to red.

The marks on the *east* side of a shoal would, in Norway, have to be changed from black to half red and half white; Sweden, have to be changed from black and white to half red and half white; Denmark, have to be changed from red to half red and half white.

The marks on the *west* side of a shoal would, in Norway and Denmark, have to be changed from white to half white and half black; Sweden, have to be changed from red to half white and half black; Finland, have to be changed from white and red to half white and half black.

The marks on a rock in *fair-way*, with channel on either side, if a white horizontal band is generally adopted, would in Russia have to be changed from black to black or red, with white horizontal bands, in agreement with the other countries.

The Conference invite the various powers interested to consider the following general principles, which they put forward as a basis on which to build up a uniform international buoyage system for districts other than those where the compass system is in use.

The term starboard-hand shall denote that side of a navigable channel which is on the right hand of the mariner entering from seaward; the term port-hand shall denote that side which is on the left hand under the same circumstances.

Color. — Buoys defining the starboard-hand shall be painted a single red color. Buoys defining the port-hand shall be painted a single black color, or a parti-color. Buoys defining middle grounds shall be painted with horizontal bands.

Form. — Wherever form is used as a distinctive character, buoys defining the starboard-hand shall be conical, and those defining the port-hand shall be can or spar.

Top-marks. — Countries where form is not used as a distinctive character for buoys may adopt as another distinctive feature for the buoys on either side of a channel, top-marks resembling a cone to be used on the starboard side, or a cylinder on the port side of a channel.

Numbers and letters. — Numbers, letters, and names may be painted on the buoys, but they must never be so large as to interfere with their distinctive coloring.

Wherever numbers and letters are used they shall be in consecutive order, commencing from seaward.

Buoys and marking of wrecks. — (a) All buoys and the top-sides of vessels used for the marking of wrecks shall be painted green with a suitable white inscription.

(b) Where it is practicable, by day one ball shall be exhibited on the side of the vessel nearest the wreck and two placed vertically on the other side; three fixed white lights similarly arranged, but not the ordinary riding light, shall be shown from sunset to sunrise.

GENERAL DIVISION 13.

The establishment of a permanent international maritime commission.

- (a) The composition of the commission.
- (b) Its powers and authority.

Resolved, That for the present the establishment of a permanent international maritime commission is not considered expedient.

NOTE FROM THE MEMBERS OF THE ARBITRAL TRIBUNAL IN THE PIOUS
FUND CASE TO THE NETHERLANDS MINISTER FOR FOREIGN AFFAIRS,
MAKING SOME SUGGESTIONS AS TO THE CONDUCT OF FUTURE ARBI-
TRATIONS.

INTERNATIONAL BUREAU
OF THE
PERMANENT COURT OF
ARBITRATION.

THE HAGUE, *October 14, 1902.*

Mr. Minister,

The undersigned members of the Arbitration Tribunal constituted in virtue of the Treaty of Washington of the 22nd of May 1902, between the United States of America and the United States of Mexico, have the honor to address to Your Excellency, as President of the Administrative Council of the Permanent Court of Arbitration, this note containing some reflections concerning the procedure to be followed before the Permanent Court of Arbitration. At the same time the undersigned express the desire that Your Excellency will be good enough to communicate this note to all the members of the Administrative Council requesting them to submit it to the kind consideration of their Governments.

The Convention signed at The Hague on the 22nd of July 1899 for the Pacific Settlement of International Disputes, presents, without any doubt, a just and rational basis for the procedure to be followed before

an International Arbitration Tribunal. The two great American States that in virtue of the Treaty of Washington of the 22nd of May 1902, have agreed to make application to The Hague Court concerning arbitral procedure in order to decide their difference relative to the "Pious Fund of the Californias" can certify that the course of the Arbitral Tribunal, of which we have had the honor to be the members, has conformed to the provisions of this act.

The regulations for arbitral procedure prepared by the Peace Conference have afforded a solid basis and solid rules for the procedure of the Tribunal of Arbitration between the United States of America and the United States of Mexico.

Nevertheless, desirous of contributing their feeble efforts towards the progressive development of international arbitration and foreseeing in the future possible difficulties in the performance of the regulations of arbitral procedure sanctioned by the Hague Convention, the undersigned members of the first Arbitration Tribunal that held its sittings at The Hague, consider themselves under the moral obligation of submitting to the kind consideration of the interested Governments some points which may be regulated easily by subsequent agreements between the States in litigation. The undersigned arbitrators are deeply impressed with a feeling of their duty to contribute to the better interpretation and carrying out of the Hague Convention for the Pacific Settlement of International Disputes and to consolidate the regular course of such future Arbitral Tribunals as may be constituted with the view of re-establishing good understanding between nations.

It is desirable that jurisprudence be established in the domain of international arbitration and it is to be hoped that each future Arbitral Tribunal will add a stone to the edifice of international arbitration whose foundations were laid by the Hague Convention of 1899.

Such are the motives of our action.

The observations to which we venture to take the liberty of attracting the attention of the high Governments through the kind intervention of Your Excellency are as follows:

I.

According to Article XXII of The Hague Convention, the International Bureau is the intermediary of communications relating to meetings of the Permanent Court of Arbitration. The signatory Powers have agreed to communicate to the International Bureau certified copies of all

arbitration stipulations entered into between them and of all arbitration verdicts having to do therewith.

It is evident that this obligation is of weight above all in these cases in which the Permanent Court of Arbitration has to decide any dispute arising between the signatory Powers.

And yet The Hague Convention does not precisely state the method to be observed in cases which the Permanent Court of Arbitration is called upon to adjudicate.

In view of this circumstance the undersigned express the opinion:—

That Powers in litigation that have agreed to submit their conflict to the Permanent Court of Arbitration, immediately upon the signature of the compromise shall communicate this act to the International Bureau requesting it to take the necessary measures for the installation of the Arbitral Tribunal.

That the same Powers, after the choice of the Arbitrators, shall communicate their names to the International Bureau without delay, and finally,

That the International Bureau, on its part, and without delay, shall communicate to the Arbitrators nominated by the Powers in litigation the signed compromise and the names of the members of the Arbitral Tribunal already designated.

II.

In virtue of Article XXXII and following articles the Arbitrators nominated by the Powers in litigation have been obliged to choose the Umpire, who, according to Article XXXIV, becomes by right the President of the Tribunal.

These stipulations might give rise to some inconvenience which it would be worth while to forestall.

The *Third* or *Fourth* member of the Arbitral Tribunal chosen by his colleagues, who have been nominated directly by the Powers in litigation is not always "Umpire" in the technical sense of this word. He is, in the first place, the member of the Arbitral Tribunal who, having the confidence of his colleagues, is chosen as their colleague.

Still it might occur that this member of the Arbitral Tribunal, chosen by his colleagues, might refuse categorically to take upon himself the Presidency of the Tribunal for motives absolutely personal but perfectly justifiable. Such member chosen on account of his great reputation as a jurist and because of his profound learning, would be eminently useful

as member of the Arbitral Tribunal. But because of his absolute refusal to preside at the meetings of the Tribunal, the other members already nominated, would be compelled to abandon their choice and by so doing deprive the Tribunal of the enlightenment of a jurist and very distinguished statesman.

In consideration of these circumstances the undersigned express the opinion:—

That future compromises shall leave to the members of the Arbitral Tribunal full powers to select from among themselves the President of the Tribunal, and

That the nomination of the President of the Arbitral Tribunal shall take place at the first meeting of the members nominated or chosen.

III.

Article XXXVIII of The Hague Convention leaves to the Arbitral Tribunal the choice of the language it shall use and shall authorize to be used before it.

While acknowledging the wisdom of this stipulation, the undersigned deem it necessary to direct the attention of the Governments in litigation to the necessity of arriving at an agreement beforehand with regard to the language they may desire the discussions before the Tribunal to take place in. It is absolutely necessary that the point be made clear prior to the commencement of the labors of the Tribunal in order that the selection of the Agent and Counsel may be made with a view to their knowledge of the language in which the pleadings before the Arbitrators are to be made. The necessity of translating, for the use of Counsel, the speeches made before the Tribunal, inevitably provokes a great loss of time. In view of these observations it is desirable:—

That the choice of the Agent and Counsel before the Arbitral Tribunal be made in conformity with the wishes of the Powers in litigation as to the languages to be used before the Tribunal, and

That future compromises shall state the desire or decision of the contracting Powers in this regard.

IV.

Article XXXIX of The Hague Convention stipulates that the arbitral procedure shall include as a general rule, two distinct phases: *Preliminary examination* and *discussion*.

The preliminary examination consists in the communication made by

the respective Agents to the Tribunal and to the opposite party of all records printed or written and of all documents containing the arguments invoked in the case.

This distinction between the preliminary examination and the discussions is absolutely justified and necessary. However it is not practicable except on condition that the parties in litigation observe it by producing all the records and documents prior to the commencement of the discussions. In other words, the preliminary examination, as a general rule, must be finished *before* the commencement of the discussions before the Tribunal. Only as a rare exception and one legalized in due form, may the Tribunal admit the production of new records and documents during the course of the discussions, under the reservation specified in Article XL and following articles of the Hague Convention.

In view of these observations the undersigned express the opinion:—

That the distinction between the two phases, namely the preliminary examination and the discussions, be observed as strictly as possible by the parties in litigation.

That, if necessary, a longer time be granted by the parties for the communication through the intervention of the International Bureau or directly to the members of the Tribunal and vice versa of all documents and records.

That the Arbitral Tribunal, once assembled, may without loss of time proceed with the discussion, and

That after closing of the discussions, that is to say in the time that intervenes between the close of the discussions and the pronouncement of the arbitral verdict, no communication of any new records or writings shall be allowed on the part of the parties in litigation.

V.

The Hague Convention has acknowledged the right of the Powers in litigation to reserve in the compromise the right to demand a revision of the arbitral verdict (Article LV). This demand may only be made on the ground of the discovery “of some new fact which would be of a nature to exercise a decisive influence on the verdict.” The same Arbitral Tribunal that has adjudicated the case is also required to rule on the merits of the demand for a revision. Lastly the compromise should determine the period within which the demand for a revision is admissible.

This stipulation may, in practice, provoke very grave inconvenience.

If the period within which the demand for a revision is admissible be very short (as that stipulated in the above mentioned Protocol of Washington of the 22nd of May, 1902), it will very rarely happen that a new fact, giving rise to a revision, will be discovered in time.

If, on the contrary, a rather long period be stipulated, or if the right be accorded of demanding a revision at any time, the obligatory force of the arbitral verdict will remain for a long time or forever in suspense.

This does not seem to be at all desirable.

In fact the arbitral verdict will almost always provoke discontent in one of the parties.

If this feeling be not appeased in the shortest possible time by reason of the *chose jugée* or of the *fait accompli* the conflict between the nations in litigation may assume an acute character endangering international peace.

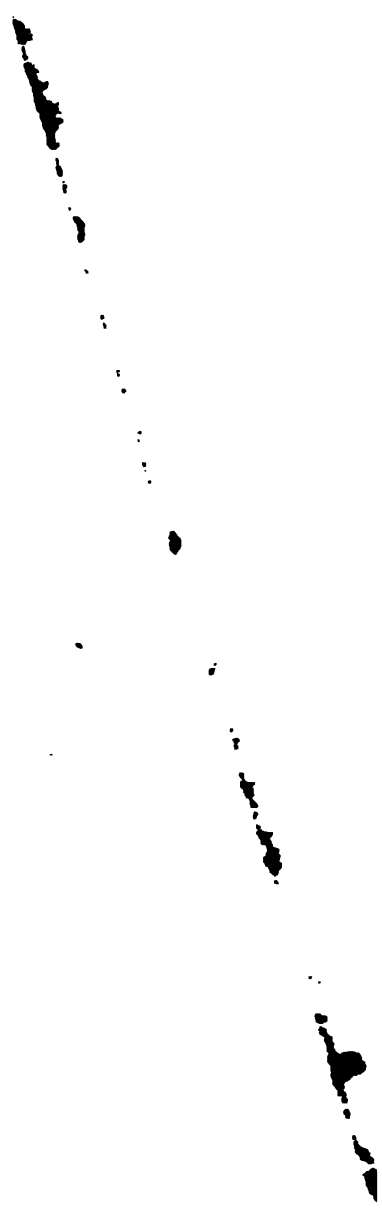
Hence the undersigned express the opinion:—

That in the compromise the smallest possible use be made of the power accorded by Article LV of The Hague Convention.

Such, Mr. Minister, are the few views and observations that we have the honor to submit to your high approval with the respectful request that they be sent to all the signatory Powers of The Hague Convention for the Peaceful Settlement of International Disputes.

Accept, Mr. Minister, the assurances of our high consideration.

(Signed.)	HENNING MATZEN.
"	EDWARD FRY.
"	MARTENS
"	T. M. C. ASSER.
"	A. F. DE SAVORNIN LOHMAN.



OFFICIAL DOCUMENTS

TREATY OF COMMERCE AND RIVER NAVIGATION BETWEEN BRAZIL AND COLOMBIA.

Signed at Rio de Janeiro August 21, 1908.

The Republic of the United States of Brazil and the Republic of Colombia, ever desirous of taking advantage of every opportunity to strengthen their long standing friendly relations and to promote and to facilitate commerce and navigation in the region of the Amazon and at the frontier which has been so happily fixed, have resolved to determine, in a special treaty, the principles and bases of the said commerce and navigation, and for such purpose have named plenipotentiaries as follows:

The President of the Republic of the United States of Brazil, Mr. José Maria da Silva Paranhos do Rio Branco, Minister of State for Foreign Affairs, and Mr. Enéas Martins, Envoy Extraordinary and Minister Plenipotentiary on special mission to Colombia; and

The President of the Republic of Colombia, Mr. Luis Tanco Argáez, Envoy Extraordinary and Minister Plenipotentiary to Brazil;

Who, after having exchanged their full powers, which were found in good and due form, have agreed on the following articles:

ARTICLE I.

The navigation of the rivers recognized as common to Brazil and Colombia by their boundary treaty of April 24, 1907,¹ is absolutely free to Brazilian and Colombian merchant vessels and for the latter there shall likewise be free the navigation of the Amazon and of the other rivers which Brazil has opened or may open in the future to the commerce of all nations and which are not the subject of a special agreement between the two countries.

Brazilian and Colombian vessels shall be subject to the revenue and police regulations now established or which may be established by each of two republics within its territorial limits.

In this freedom of navigation coasting trade or commerce from port

¹ SUPPLEMENT, 3:97.

to port of the same country is not included and shall continue in each of the two states subject to the respective laws.

ARTICLE II.

The revenue and police regulations, to which the above article refers, shall be as favorable to commerce and navigation and as uniform in the two countries as possible.

ARTICLE III.

Brazilian and Colombian vessels owned and named according to the laws of their respective countries shall be considered Brazilian in the ports of Colombia and Colombian in the ports of Brazil.

ARTICLE IV.

Absolutely no duty shall be levied upon merchandise, whatever the nationality of the vessel, in transit on the Amazon River, nor upon merchandise in transit on the rivers to which the present treaty refers if the vessel be Brazilian or Colombian, even though the trans-shipment of the said merchandise from one vessel to another in the customs ports of the two countries or its passage to the river or land *entrepôts* or deposits with a view to awaiting another vessel should become necessary.

In this last case, the charges for the handling and storage shall be paid in accordance with the legislation of each country.

ARTICLE V.

The packages which contain merchandise in transit shall not be opened by the customs authorities of the intermediate ports.

ARTICLE VI.

Except for the use of stamped paper or stamps, no tax shall be collected for the documents relating to the dispatch in transit of stored merchandise.

ARTICLE VII.

In place of the old taxes, called lighthouse and buoy taxes, for the benefit of navigation, Brazil and Colombia shall collect in their river ports only the tonnage tax upon the total capacity of the vessel.

This tax shall affect only such vessels as discharge in the said ports, except those which do so because of *force majeure*.

ARTICLE VIII.

The maximum tax per ton shall be:

Sixteen milreis in Brazil and five dollars gold in Colombia for vessels of 30 to 150 tons;

Thirty-two milreis in Brazil and ten dollars gold in Colombia for vessels of 150 to 200 tons;

Forty-eight milreis in Brazil and fifteen dollars gold in Colombia for vessels of 200 to 400 tons;

Sixty-four milreis in Brazil and twenty dollars gold in Colombia for vessels of 400 to 700 tons;

Eighty milreis in Brazil and twenty-five dollars gold in Colombia for vessels over 700 tons.

ARTICLE IX.

There are exempted from payment of the tonnage tax:

1. Warships and transports provided they do not carry articles for mercantile use;

2. Merchant ships displacing less than 30 tons;

3. Vessels which are cruising for official reasons or for purely scientific purposes or for pleasure; and

4. Vessels which put into a harbor because of *force majeure*, provided they sail with the same cargo in transit or this has been trans-shipped and continues to its destination.

ARTICLE X.

With the exception of the charges for handling and storage, under the conditions stated in Article IV, of the charges for stamped paper and for stamps mentioned in Article VI and of the tonnage tax which is treated of in Articles VII and VIII, trade by river as well as by land shall be burdened, neither directly nor indirectly, by any tax, no matter what its name or object may be.

ARTICLE XI.

No nationality shall be ascribed to merchandise. Consequently merchandise of foreign origin which shall be exported from Brazil for Colombia or from Colombia for Brazil shall pay in both countries the respective charges.

ARTICLE XII.

For the purpose of dispatching articles in transit for importation or exportation Brazil may maintain customs agents in the customs houses

or revenue posts which Colombia has established or shall establish in the regions to which the present treaty refers. In reciprocation, Colombia may maintain customs agents in the Brazilian customs houses of Pará or of Manáos and in the other customs posts which Brazil has established or shall establish in these regions.

ARTICLE XIII.

The vessels employed in the transit commerce may carry revenue agents of both countries, according to the requirements of the service, for the purpose of verifying the destination or the origin of the merchandise.

ARTICLE XIV.

Brazil and Colombia shall enjoy the additional rights and concessions which, in regard to the commerce and river navigation, each of them has recognized or conceded or shall recognize or concede to the other states which are or may be considered riparian as regards the Amazon or its branches.

ARTICLE XV.

The warships and transports of Brazil may navigate freely the Colombian waters of Yapurá and Caquetá and the warships and transports of Colombia may navigate freely the Brazilian waters of Yapurá and Caquetá and the Amazon and the other rivers which Brazil has opened or shall open to foreign navigation, the two states reserving the right to limit, by mutual agreement, the number of warships which may navigate the waters under their respective jurisdictions.

Warships and transports temporarily receiving or carrying articles for mercantile use, shall be subject to the revenue and police regulations of the country through which they pass.

ARTICLE XVI.

Any disagreement as to the meaning or execution of this treaty shall be adjusted by arbitration.

ARTICLE XVII.

With the exception of the stipulation of Article I regarding the free navigation of the rivers recognized as common property by the boundary treaty of April 24, 1907, a right which both countries have recognized in it as perpetual, the present treaty shall be binding for ten years counting from the day of exchange of ratifications and shall continue in force

until one of the high contracting parties denounces it or expresses the desire to modify it.

Whenever the question of modification comes up, the article or the articles to which the notification refers shall continue in force until the day upon which the new stipulations begin to be effective; and when one of the parties denounces the treaty in general, it shall cease to be operative as regards all its effects in twelve months counting from the day upon which the other party receives the notification.

ARTICLE XVIII.

The present treaty, after being approved by the legislative power of each of the two republics, shall be ratified by the respective governments, and the ratifications shall be exchanged in the city of Bogotá or in the city of Rio de Janeiro with the least possible delay.

In testimony whereof, the above named plenipotentiaries have signed the present instrument in two copies, each one in Portuguese and Spanish, and have sealed them with their seals in the city of Rio de Janeiro the twenty-first day of the month of August of nineteen hundred and eight.

(L. S.) RIO BRANCO.

(L. S.) ENÉAS MARTINS.

(L. S.) LUIS TANCO ARGÁEZ.

DECREE OF THE PRESIDENT OF FRANCE, ESTABLISHING AN OFFICE OF FOREIGN LEGISLATION AND INTERNATIONAL LAW.

July 21, 1910.

The President of the French Republic,

On the report of the Keeper of the Seals, Minister of Justice;

In view of Article 46 of the Law of Finance of December, 26, 1908, worded as follows:

The service of the collection of foreign laws at the Department of Justice is transformed into an office of foreign legislation and international law, under the Department of Justice, and is invested with the rights of an artificial person.

A regulation of public administration will determine the measures concerning the organization and functions of the said office.

In view of the opinion of the Department of Finance;

On the advice of the Council of State.

Decreets,

Art. 1. — The office of foreign legislation and international law has for its object :

1. To centralize and put at the disposal of the public the legislative acts and documents of foreign countries, to preserve, maintain and increase the collection of works on international law and of comparative and foreign laws existing at the Department of Justice;

2. To continue the publication of the collection of the principal foreign codes and to undertake all translations and all work connected with comparative legislation or international law;

3. To furnish to public administrative bodies, judicial bodies, parliamentary commissions, information on treaties and foreign laws;

4. To furnish to all interested persons certified copies or translations of the texts of foreign laws, treaties and all other documents;

5. To publish memoirs or works on foreign legislation and international law;

6. To open relations with administrative bodies, associations and scientific institutions of France and other countries.

It may, moreover, be consulted on questions of foreign legislation or international law which the Keeper of the Seals deems proper to submit to it.

Art. 2. — The collections and properties of the service of foreign laws existing at the Department of Justice are turned over to the office of foreign legislation and international law.

Art. 3. — The office is directly under the Keeper of the Seals, Minister of Justice.

It is placed under the scientific direction of a committee of foreign legislation and international law constituted in accordance with Article 4 hereunder.

It is administered, under the authority of the Keeper of Seals, by an administrative council composed in accordance with Article 7 hereunder.

Art. 4. — The committee of foreign legislation and international law is composed :

1. Of members appointed by the Keeper of the Seals and which shall not exceed twenty in number;

2. Of members in their own right who are :

The directors of the Ministry of Justice;

The director of administrative and technical affairs at the Ministry of Foreign Affairs.

The president and vice-president of the committee are appointed by the Keeper of Seals.

The chief of the office, whose employment is provided for by Article 15, discharges the duties of secretary of the committee, with consultative voice.

Art. 5. — The committee proposes to the Minister the translations of foreign laws and all other work to be undertaken. It selects the translators and other workers, controls and revises their work and superintends its publication.

It is called upon to give advice on regulations concerning the office, as well as measures intended to improve its organization and workings.

Art. 6. — The committee will meet as often as necessary and at least once each quarter.

Art. 7. — The administrative council of the office of foreign legislation and international law consists of the president and vice-president of the committee on foreign legislation and international law, of two members of the committee designated by the Minister, and of the director or chief of the office of the Keeper of the Seals. This council is presided over by the president of the committee, and, in his absence, by the vice-president.

Art. 8. — The office is represented at law and in all acts of a civil nature by the president of the administrative council. This person is competent in all that concerns the property of the office, to institute or defend, without authorization of the administrative council, all possessory actions, to apply for injunctions and to take measures necessary to preserve or enjoy the property. In case of the absence or disability the president of the administrative council is replaced by the chief of office.

Art. 9. — The administrative council is consulted each year, in the preparation of the budget by the Ministry of Justice, as to the amount of money to be included in this budget for the expenses of the office.

On the month following the vote of the budget, it makes propositions for the employment of the income from the property of the office and gives its advice on the employment of the appropriation made by the Law of Finance to the Minister of Justice for the office.

Art. 10. — The administrative council determines the management, acquisition and disposal of the property of the office and the expenses which must be met by means of the income from that property. It gives its advice on the subject of expenses to be charged to the appropriation mentioned in paragraph 2 of Article 9 which precedes.

The decisions taken in execution of the present article become operative only after the approval of the Keeper of the Seals.

Art. 11. — The administrative council passes upon the acceptance or refusal of gifts and legacies made to the office, without obligations, conditions or restricted to a set purpose, as real estate, and when there are no conflicting family claims.

When the gifts or legacies are burdened by charges, condition special or restricted to a set purpose, as real estate, or when they give rise to conflicting family claims, the acceptance or refusal is authorized by decree of the Council of State.

When the gifts and legacies are made with a special restriction the decree of authorization notes that restriction.

Art. 12. — Funds resulting from gifts made to the office are turned into the *la caisse des dépôts et consignations*.

The ulterior use of these funds can be effected only by virtue of deliberations of the administrative council, approved in accordance with paragraph 2 of Article 10 of the present decree and subject to the conditions provided by Article 33 of the Law of Finance of December 31, 1907.

Funds received through the delivery of copies or translations or through the sale of publications, in accordance with the tariffs established jointly by the Ministers of Justice and Finance, are turned into the treasury under the head of miscellaneous proceeds of the budget.

Art. 13. — The expenses of the office comprise exclusively the salaries and allowances of the permanent personnel and of the auxiliary and temporary agents, the maintainance of the collections, the acquisition and binding of works, subscriptions to publications of foreign legislation or international law, the installation of libraries, the preparations of catalogues, of record slips, etc., the expenses of the bureau and incidental expenses of the office.

Art. 14. — A report on the administration and workings of the office is presented yearly by the president of the administrative council to that council, and transmitted to the Keeper of the Seals.

Art. 15. — The personnel of the office of foreign legislation and international law is composed:

1. Of a chief of office, keeper of the library;
2. Of an assistant chief discharging the duties of librarian;
3. Of a clerk and translator, discharging the duties of assistant librarian.

Art. 16. — The personnel of the office is appointed by the Keeper of the Seals, after examination, on the proposal of the administrative council.

To become eligible to take the examination the candidates must:

1. Be French and have complied with the military law as far as service in time of peace is concerned.

2. Be accepted by the administrative council of the office.

The number and nature of the tests, the method of constitution of the jury, the forms of the examination, the classes of diplomas or the certificate of study are specified by a departmental order on the advice of the administrative council.

Art. 17. — Special translators, attachés or auxiliary agents, appointed by the administrative council upon the advice of the chief of office, may be temporarily employed.

Art. 18. — The salaries of the personnel of the office are fixed on the advice of the administrative council by a decree countersigned by the Minister of Finance in accordance with Article 55 of the Law of February 25, 1901.

The allowances of special translators, attachés or auxiliary agents are fixed by the Minister of Justice on the recommendation of the administrative council.

Promotions are made within the bounds of the appropriation by the Minister of Justice, on the recommendation of the administrative council and on the advice of the chief of service of the office in the case of one of his subordinates.

Art. 19. — Disciplinary measures concerning the employees of the office of foreign legislation and international law are taken by the Minister, the employee having been heard or duly summoned, upon the advice of the administrative council.

Art. 20. — Orders of the Keeper of the Seals will prescribe the measures necessary for the execution of the present regulations other than those above specified.

Art. 21. — The Keeper of the Seals, Minister of Justice and Minister of Finance are charged, in so far as it concerns him, with the execution of the present decree, which will be published in the *JOURNAL OFFICIEL* and inserted in the *BULLETIN DES LOIS*.

Done at Paris, July 21, 1910.

A. FALLIÈRES.

By the President of the Republic:

The Keeper of the Seals, Minister of Justice.

LOUIS BARTHOU.

UNRATIFIED OLNEY-PAUNCEFOTE TREATY OF ARBITRATION BETWEEN THE
UNITED STATES AND GREAT BRITAIN.¹

Signed at Washington, January 11, 1897.

The United States of America and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, being desirous of consolidating the relations of amity which so happily exist between them and of consecrating by treaty the principle of international arbitration, have appointed for that purpose as their respective plenipotentiaries:

The President of the United States of America, the Honorable Richard Olney, Secretary of State of the United States; and

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honorable Sir Julian Pauncefote, a Member of Her Majesty's Most Honorable Privy Council, Knight Grand Cross of the Most Honourable Order of the Bath and of the Most Distinguished Order of St. Michael and St. George and Her Majesty's Ambassador Extraordinary and Plenipotentiary to the United States.

Who, after having communicated to each other their respective full powers, which were found to be in due and proper form, have agreed to and concluded the following articles:

ARTICLE I.

The high contracting parties agree to submit to arbitration in accordance with the provisions and subject to the limitations of this treaty all questions in difference between them which they may fail to adjust by diplomatic negotiation.

ARTICLE II.

All pecuniary claims or groups of pecuniary claims which do not in the aggregate exceed £100,000 in amount, and which do not involve the determination of territorial claims, shall be dealt with and decided by an arbitral tribunal constituted as provided in the next following article.

In this article and in Article IV the words "groups of pecuniary claims" mean pecuniary claims by one or more persons arising out of the same transactions or involving the same issues of law and of fact.

ARTICLE III.

Each of the high contracting parties shall nominate one arbitrator who shall be a jurist of repute and the two arbitrators so nominated shall within two months of the date of their nomination select an umpire. In case they shall fail to do so within the limit of time above mentioned, the

¹ For. Rel., U. S., 1896, p. 238.

umpire shall be appointed by agreement between the members for the time being of the Supreme Court of the United States and the members for the time being of the Judicial Committee of the Privy Council in Great Britain each nominating body acting by a majority. In case they shall fail to agree upon an umpire within three months of the date of an application made to them in that behalf by the high contracting parties or either of them, the umpire shall be selected in the manner provided for in Article X.

The person so selected shall be the president of the tribunal and the award of the majority of the members thereof shall be final.

ARTICLE IV.

All pecuniary claims or groups of pecuniary claims which shall exceed £100,000 in amount and all other matters in difference, in respect of which either of the high contracting parties shall have rights against the other under treaty or otherwise, provided that such matters in difference do not involve the determination of territorial claims, shall be dealt with and decided by an arbitral tribunal, constituted as provided in the next following article.

ARTICLE V.

Any subject of arbitration described in Article IV shall be submitted to the tribunal provided for by Article III, the award of which tribunal, if unanimous, shall be final. If not unanimous either of the high contracting parties may within six months from the date of the award demand a review thereof. In such case the matter in controversy shall be submitted to an arbitral tribunal consisting of five jurists of repute, no one of whom shall have been a member of the tribunal whose award is to be reviewed and who shall be selected as follows, viz: two by each of the high contracting parties and, one to act as umpire, by the four thus nominated and to be chosen within three months after the date of their nomination. In case they shall fail to choose an umpire within the limit of time above-mentioned, the umpire shall be appointed by agreement between the nominating bodies designated in Article III acting in the manner therein provided. In case they shall fail to agree upon an umpire within three months of the date of an application made to them in that behalf by the high contracting parties or either of them, the umpire shall be selected in the manner provided for in Article X.

The person so selected shall be the president of the tribunal and the award of the majority of the members thereof shall be final.

ARTICLE VI.

Any controversy which shall involve the determination of territorial claims shall be submitted to a tribunal composed of six members three of whom (subject to the provisions of Article VIII) shall be judges of the Supreme Court of the United States, or justices of the Circuit Courts to be nominated by the President of the United States, and the other three of whom (subject to the provisions of Article VIII) shall be judges of the British Supreme Court of Judicature or members of the Judicial Committee of the Privy Council to be nominated by Her Britannic Majesty, whose award by a majority of not less than five to one shall be final. In case of an award made by less than the prescribed majority, the award shall also be final unless either Power shall, within three months after the award has been reported protest that the same is erroneous, in which case the award shall be of no validity.

In the event of an award made by less than the prescribed majority and protested as above provided, or if the members of the arbitral tribunal shall be equally divided, there shall be no recourse to hostile measures of any description until the mediation of one or more friendly Powers has been invited by one or both of the high contracting parties.

ARTICLE VII.

Objections to the jurisdiction of an arbitral tribunal constituted under this treaty shall not be taken except as provided in this Article.

If before the close of the hearing upon a claim submitted to an arbitral tribunal constituted under Article III or Article V either of the high contracting parties shall move such tribunal to decide, and thereupon it shall decide that the determination of such claim necessarily involves the decision of a disputed question of principle of grave general importance affecting the national rights of such party as distinguished from the private rights whereof it is merely the international representative, the jurisdiction of such arbitral tribunal over such claim shall cease and the same shall be dealt with by arbitration under Article VI.

ARTICLE VIII.

In cases where the question involved is one which concerns a particular State or Territory of the United States, it shall be open to the President of the United States to appoint a judicial officer of such State or Territory to be one of the arbitrators under Article III or Article V or Article VI.

In like manner in cases where the question involved is one which concerns a British Colony or possession, it shall be open to Her Britannic Majesty to appoint a judicial officer of such Colony or possession to be one of the arbitrators under Article III or Article V or Article VI.

ARTICLE IX.

Territorial claims in this treaty shall include all claims to territory and all claims involving questions of servitudes, rights of navigation and of access, fisheries and all rights and interests necessary to the control and enjoyment of the territory claimed by either of the high contracting parties.

ARTICLE X.

If in any case the nominating bodies designated in Article III and V shall fail to agree upon an umpire in accordance with the provisions of the said articles, the umpire shall be appointed by His Majesty the King of Sweden and Norway.

Either of the high contracting parties, however, may at any time give notice to the other that, by reason of material changes in conditions as existing at the date of this treaty, it is of opinion that a substitute for His Majesty should be chosen either for all cases to arise under the treaty or for a particular specified case already arisen, and thereupon the high contracting parties shall at once proceed to agree upon such substitute to act either in all cases to arise under the treaty or in the particular case specified as may be indicated by said notice; provided, however, that such notice shall have no effect upon an arbitration already begun by the constitution of an arbitral tribunal under Article III.

The high contracting parties shall also at once proceed to nominate a substitute for His Majesty in the event that His Majesty shall at any time notify them of his desire to be relieved from the functions graciously accepted by him under this treaty either for all cases to arise thereunder or for any particular specified case already arisen.

ARTICLE XI.

In case of the death, absence or incapacity to serve of any arbitrator or umpire, or in the event of any arbitrator or umpire omitting or declining or ceasing to act as such, another arbitrator or umpire shall be forthwith appointed in his place and stead in the manner provided for with regard to the original appointment.

ARTICLE XII.

Each government shall pay its own agent and provide for the proper remuneration of the counsel employed by it and of the arbitrators appointed by it and for the expense of preparing and submitting its case to the arbitral tribunal. All other expenses connected with any arbitration shall be defrayed by the two governments in equal moieties.

Provided, however, that, if in any case the essential matter of difference submitted to arbitration is the right of one of the high contracting parties to receive disavowals of or apologies for acts or defaults of the other not resulting in substantial pecuniary injury, the arbitral tribunal finally disposing of the said matter shall direct whether any of the expenses of the successful party shall be borne by the unsuccessful party, and if so to what extent.

ARTICLE XIII.

The time and place of meeting of an arbitral tribunal and all arrangements for the hearing and all questions of procedure shall be decided by the tribunal itself.

Each arbitral tribunal shall keep a correct record of its proceedings and may appoint and employ all necessary officers and agents.

The decision of the tribunal shall, if possible, be made within three months from the close of the arguments on both sides.

It shall be made in writing and dated and shall be signed by the arbitrators who may assent to it.

The decision shall be in duplicate, one copy whereof shall be delivered to each of the high contracting parties through their respective agents.

ARTICLE XIV.

This treaty shall remain in force for five years from the date at which it shall come into operation, and further until the expiration of twelve months after either of the high contracting parties shall have given notice to the other of its wish to terminate the same.

ARTICLE XV.

The present treaty shall be duly ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof and by Her Britannic Majesty; and the mutual exchange of ratifications shall take place in Washington or in London within six months of the date hereof or earlier if possible.

In faith whereof, we, the respective plenipotentiaries, have signed this treaty and have hereunto affixed our seals.

Done in duplicate at Washington, the 11th day of January, 1897.

RICHARD OLNEY. [L. s.]

JULIAN PAUNCEFOTE. [L. s.]

[UNITED STATES AND GREAT BRITAIN.]

MINUTES OF CONFERENCES ¹

held at Washington the 9th, 10th, 11th and 12th of January, 1911, as to the application of the award delivered on the 7th September, 1910, in the North Atlantic Coast Fisheries Arbitration to existing regulations of Canada and Newfoundland.

The undersigned having considered in detail and with expert assistance the steps to be taken in consequence of the award in connection with the objections of the United States Government to existing regulations of the fisheries in Canadian and Newfoundland treaty waters as recorded in Protocol XXX of the proceedings before the Tribunal of Arbitration, and having conferred as to the best means of dealing with these objections, have arrived at the following conclusion:

It is unnecessary to refer any existing regulations to the Commission of Experts mentioned in the award in application of Article III of the special agreement of January 27, 1909, or to reconvene the Tribunal of Arbitration; but any difference in regard to the regulations specified in Protocol XXX, which shall not have been disposed of by diplomatic methods, shall be referred to the Permanent Mixed Fishery Commissions to be constituted as recommended by the Hague Award, under Article IV of the special agreement in the same manner as a difference in regard to future regulations would be so referred under the recommendations in the award, unless by mutual consent some other rules and method of procedure are adopted.

January 12, 1911.

PHILANDER C KNOX

JAMES BRYCE

E. A. MORRIS

CHANDLER P. ANDERSON

A B AYLESWORTH

L P BRODEUR

¹ U. S. Treaty Series, No. 553.

[UNITED STATES AND GREAT BRITAIN.]

MINUTES OF CONFERENCES ¹

held at Washington the 13th and 14th of January, 1911, as to the objections of the United States to existing laws and fishery regulations of Canada as recorded in Protocol XXX of the proceedings upon the North Atlantic Coast Fisheries Arbitration.

The undersigned, having considered the best means of dealing with the objections above referred to, subject to the minute of previous conferences signed January twelfth, have arrived at the following conclusion:

Having regard to the present method of administering the Canadian laws and fishery regulations and to certain amendments which Canada is willing to make therein and to the present state of the fisheries and conditions under which they are carried on and places of fishing, the United States does not press at present any of the objections referred to in Protocol XXX which relate to Canadian laws and fishery regulations, it being understood that the right of the United States to renew such objections is not thereby in any way prejudiced should conditions change.

The amendments in regulations above referred to are:

Sub-section one of section five of the Special Fishery Regulations, Province of Quebec, approved on the twelfth day of September, one thousand nine hundred and seven, is repealed and the following substituted therefor:

1. Fishing by means of cod trap-nets without a license from the Minister of Marine and Fisheries is prohibited in the waters of the Gulf of St. Lawrence, except at the distance of one thousand yards from shore or one thousand yards from any similar net set from the shore.

Sub-section four of section five is repealed and the following substituted therefor:

4. If the leader of a cod trap-net extends from the shore, any fishery officer may determine in writing or orally the length of the leader that shall be used.

Sub-section (a) of section eight of the said Special Fishery Regulations is hereby repealed and the following substituted therefor:

1. (a) Fishing by means of herring trap-nets without a license from the Minister of Marine and Fisheries is prohibited in the waters of the Gulf of St. Lawrence, except at the distance of one thousand yards from shore or one thousand yards from any similar net set from the shore.

¹ U. S. Treaty Series, No. 554.

Sub-section (d) of section eight is hereby repealed and the following substituted therefor:

(d) If the leader of a herring trap-net extends from the shore, any fishery officer may determine in writing or orally the length of the leader that shall be used.

Sub-section nine of section five (added):

Upon any inhabitant of the United States fishing with trap-nets in Canadian waters in the exercise of his liberties under the treaty of 1818 applying for a berth site under the licensing provisions, such a license shall be issued in the usual course for any unoccupied berth site selected by the applicant upon payment of the regular fee in consideration of the exclusive use of such site, subject to the usual rules and regulations.

Clause (f) of sub-section one of section eight (added):

Upon any inhabitant of the United States fishing with trap-nets in Canadian waters in the exercise of his liberties under the treaty of 1818 applying for a berth site under the licensing provisions, such a license shall be issued in the usual course for any unoccupied berth site selected by the applicant upon payment of the regular fee in consideration of the exclusive use of such site, subject to the usual rules and regulations.

January 14, 1911.

PHILANDER C KNOX
JAMES BRYCE
L P BRODEUR
A B AYLESWORTH
CHANDLER P. ANDERSON

[Translation.]

ADDITIONAL PROTOCOL TO THE CONVENTION RELATIVE TO THE ESTABLISHMENT OF AN INTERNATIONAL COURT OF PRIZE.

Signed at The Hague, September 19, 1910.

Germany, the United States of America, the Argentine Republic, Austria-Hungary, Chile, Denmark, Spain, France, Great Britain, Japan, Norway, the Netherlands, Sweden, Powers signatory to the Hague Convention dated October 18, 1907, for the establishment of an international court of prize,¹ considering that for some of these Powers difficulties of a

¹ SUPPLEMENT, 2:174.

constitutional nature prevent the acceptance of the said convention, in its present form, have deemed it expedient to agree upon an additional protocol taking into account these difficulties without jeopardizing any legitimate interest and have, to that end, appointed as their plenipotentiaries, to wit:

Germany: His Excellency F. de Müller, envoy extraordinary and minister plenipotentiary at The Hague.

The United States of America: James Brown Scott.

The Argentine Republic: His Excellency Alejandro Guesalaga, envoy extraordinary and minister plenipotentiary at The Hague.

Austria-Hungary: Baron E. de Gudenus, chargé d'affaires ad interim at The Hague.

Chile: His Excellency F. Puga Borne, envoy extraordinary and minister plenipotentiary at Paris.

Denmark: J. W. de Grevenkop Castenkkjold, minister resident at The Hague.

Spain: His Excellency Jose de la Rica y Calvo, envoy extraordinary and minister plenipotentiary at The Hague.

France: His Excellency Marcellin Pellet, envoy extraordinary and minister plenipotentiary at The Hague.

Great Britain: His Excellency Sir George W. Buchanan, G. C. V. O., K. C. M. G., C. B., envoy extraordinary and minister plenipotentiary at The Hague.

Japan: His Excellency Aimaro Sato, envoy extraordinary and minister plenipotentiary at The Hague.

Norway: His Excellency G. F. Hagerup, envoy extraordinary and minister plenipotentiary at The Hague.

The Netherlands: His Excellency Jonkheer R. de Marees van Swinderen, minister of foreign affairs.

Sweden: His Excellency Count J. J. A. Ehrensvärd, envoy extraordinary and minister plenipotentiary at The Hague.

Who, after depositing their full powers, found to be in good and due form, have agreed upon the following:

ARTICLE 1.

The Powers signatory or adhering to the Hague convention of October 18, 1907, relative to the establishment of an international court of prize, which are prevented by difficulties of a constitutional nature from accepting the said convention in its present form, have the right to declare in

the instrument of ratification or adherence that in prize cases, whereof their national courts have jurisdiction, recourse to the international court of prize can only be exercised against them in the form of an action in damages for the injury caused by the capture.

ARTICLE 2.

In the case of recourse to the international court of prize, in the form of an action for damages, Article 8 of the convention is not applicable; it is not for the court to pass upon the validity or the nullity of the capture, nor to reverse or affirm the decision of the national tribunals.

If the capture is considered illegal, the court determines the amount of damages to be allowed, if any, to the claimants.

ARTICLE 3.

The conditions to which recourse to the international court of prize is subject by the convention are applicable to the action in damages.

ARTICLE 4.

Under reserve of the provisions hereinafter stated the rules of procedure established by the convention for recourse to the international court of prize shall be observed in the action in damages.

ARTICLE 5.

In derogation of Article 28, paragraph 1, of the convention, the suit for damages can only be brought before the international court of prize by means of a written declaration addressed to the International Bureau of the Permanent Court of Arbitration; the case may even be brought before the bureau by telegram.

ARTICLE 6.

In derogation of Article 29 of the convention the International Bureau shall notify directly, and if possible by telegram, the government of the belligerent captor of the declaration of action brought before it.

The government of the belligerent captor, without considering whether the prescribed periods of time have been observed, shall, within seven days of the receipt of the notification, transmit to the International Bureau the case, appending thereto a certified copy of the decision, if any, rendered by the national tribunal.

ARTICLE 7.

In derogation of Article 45, paragraph 2, of the convention the court rendering its decision and notifying it to the parties to the suit shall send directly to the government of the belligerent captor the record of the case submitted to it, appending thereto a copy of the various intervening decisions as well as a copy of the minutes of the preliminary proceedings.

ARTICLE 8.

The present additional protocol shall be considered as forming an integral part of and shall be ratified at the same time as the convention.

If the declaration provided for in Article 1 hereinabove is made in the instrument of the ratification, a certified copy thereof shall be inserted in the *procès verbal* of the deposit of ratifications referred to in Article 52, paragraph 3, of the convention.

ARTICLE 9.

Adherence to the convention is subordinated to adherence to the present additional protocol.

In faith of which the plenipotentiaries have affixed their signatures to the present additional protocol.

Done at The Hague on the 19th day of September, 1910, in a single copy, which shall remain deposited in the archives of the Government of the Netherlands and of which duly certified copies shall be forwarded through diplomatic channels to the Powers designated in Article XV of the convention relative to the establishment of an international court of prize of October 18, 1907, and in its appendix.

For Germany:

F. DE MÜLLER.

For United States of America:

JAMES BROWN SCOTT.

For the Argentine Republic:

ALEJANDRO GUESALAGA.

For Austria-Hungary:

BARON ERWEIN GUDENUS.

For Chile:

F. PUGA BORNE.

For Denmark:

W. GREVENKOP CASTENSKJOLD.

For Spain:

JOSÉ DE LA RICA Y CALVO.

For France:

MARCELLIN PELLET.

For Great Britain:

GEORGE W. BUCHANAN.

For Japan:

AIMARO SATO.

For Norway:

F. HAGERUP.

For the Netherlands:

R. DE MAREES VAN SWINDEREN.

For Sweden:

ALBERT EHRENSVÄRD.

RESOLUTION OF THE SENATE OF THE UNITED STATES ADVISING AND CON-
SENTING TO THE RATIFICATION OF THE INTERNATIONAL PRIZE COURT
CONVENTION AND ADDITIONAL PROTOCOL.

In Executive Session, Senate of the United States.

February 15, 1911.

Resolved (Two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the convention for an International Prize Court, signed at The Hague on the 18th day of October, 1907, and at the same time to the ratification, as forming an integral part of the said convention, of the protocol thereto, signed at The Hague on the 19th day of September, 1910, and transmitted to the Senate by the President on the 2d day of February, 1911. Provided, that it is the understanding of the Senate and is a condition of its consent and advice that in the instrument of ratification the United States of America shall declare that in prize cases recourse to the International Court of Prize can only be exercised against it in the form of an action in damages for the injuries caused by the capture.

Attest:

CHARLES G. BENNETT

Secretary.

By

HENRY H. GILFRY

Chief Clerk.

TREATY OF COMMERCE AND NAVIGATION BETWEEN THE UNITED STATES
AND JAPAN.*Signed at Washington, February 21, 1911.*

The President of the United States of America and His Majesty the Emperor of Japan, being desirous to strengthen the relations of amity and good understanding which happily exist between the two nations, and believing that the fixation in a manner clear and positive of the rules which are hereafter to govern the commercial intercourse between their respective countries will contribute to the realization of this most desirable result, have resolved to conclude a treaty of commerce and navigation for that purpose, and to that end have named their plenipotentiaries, that is to say:

The President of the United States of America, Philander C. Knox,
Secretary of State of the United States; and

His Majesty the Emperor of Japan, Baron Yasuya Uchida, Jusammi;
Grand Cordon of the Imperial Order of the Rising Sun, His
Majesty's Ambassador Extraordinary and Plenipotentiary to the
United States of America;

Who, after having communicated to each other their respective full powers, found to be in good and due form, have agreed upon the following articles:

ARTICLE I.

The citizens or subjects of each of the high contracting parties shall have liberty to enter, travel and reside in the territories of the other to carry on trade, wholesale and retail, to own or lease and occupy houses, manufactories, warehouses and shops, to employ agents of their choice, to lease land for residential and commercial purposes, and generally to do anything incident to or necessary for trade upon the same terms as native citizens or subjects, submitting themselves to the laws and regulations there established.

They shall not be compelled, under any pretext whatever, to pay any charges or taxes other or higher than those that are or may be paid by native citizens or subjects.

The citizens or subjects of each of the high contracting parties shall receive, in the territories of the other, the most constant protection and security for their persons and property, and shall enjoy in this respect the same rights and privileges as are or may be granted to native citizens or subjects, on their submitting themselves to the conditions imposed upon the native citizens or subjects.

They shall, however, be exempt in the territories of the other from compulsory military service either on land or sea, in the regular forces, or in the national guard, or in the militia; from all contributions imposed in lieu of personal service, and from all forced loans or military exactions or contributions.

ARTICLE II.

The dwellings, warehouses, manufactories and shops of the citizens or subjects of each of the high contracting parties in the territories of the other, and all premises appertaining thereto used for purposes of residence or commerce, shall be respected. It shall not be allowable to proceed to make a domiciliary visit to, or a search of, any such buildings and premises, or to examine or inspect books, papers or accounts, except under the conditions and with the forms prescribed by the laws, ordinances and regulations for nationals.

ARTICLE III.

Each of the high contracting parties may appoint consuls general, consuls, vice consuls, deputy consuls and consular agents in all ports, cities and places of the other, except in those where it may not be convenient to recognize such officers. This exception, however, shall not be made in regard to one of the contracting parties without being made likewise in regard to all other Powers.

Such consuls general, consuls, vice consuls, deputy consuls and consular agents, having received exequaturs or other sufficient authorizations from the government of the country to which they are appointed, shall, on condition of reciprocity, have the right to exercise the functions and to enjoy the exemptions and immunities which are or may hereafter be granted to the consular officers of the same rank of the most favored nation. The government issuing exequaturs or other authorizations may in its discretion cancel the same on communicating the reasons for which it thought proper to do so.

ARTICLE IV.

There shall be between the territories of the two high contracting parties reciprocal freedom of commerce and navigation. The citizens or subjects of each of the contracting parties, equally with the citizens or subjects of the most favored nation, shall have liberty freely to come with their ships and cargoes to all places, ports and rivers in the territories of the other which are or may be opened to foreign commerce, subject always to the laws of the country to which they thus come.

TREATY OF COMMERCE AND NAVIGATION BETWEEN THE UNITED STATES
AND JAPAN.

Signd at Washington, February 21, 1911.

The President of the United States of America and His Majesty the Emperor of Japan, being desirous to strengthen the relations of amity and good understanding which happily exist between the two nations, and believing that the fixation in a manner clear and positive of the rules which are hereafter to govern the commercial intercourse between their respective countries will contribute to the realization of this most desirable result, have resolved to conclude a treaty of commerce and navigation for that purpose, and to that end have named their plenipotentiaries, that is to say:

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Secretary of State of the United States; and

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They shall not be compelled, under any pretext whatever, to pay any charges or taxes other or higher than those that are or may be paid by native citizens or subjects.

The citizens or subjects of each of the high contracting parties shall receive, in the territories of the other, the most constant protection and security for their persons and property, and shall enjoy in this respect the same rights and privileges as are or may be granted to native citizens or subjects, on their submitting themselves to the conditions imposed upon the native citizens or subjects.

They shall, however, be exempt in the territories of the other from compulsory military service either on land or sea, in the regular forces, or in the national guard, or in the militia; from all contributions imposed in lieu of personal service, and from all forced loans or military exactions or contributions.

ARTICLE II.

The dwellings, warehouses, manufactories and shops of the citizens or subjects of each of the high contracting parties in the territories of the other, and all premises appertaining thereto used for purposes of residence or commerce, shall be respected. It shall not be allowable to proceed to make a domiciliary visit to, or a search of, any such buildings and premises, or to examine or inspect books, papers or accounts, except under the conditions and with the forms prescribed by the laws, ordinances and regulations for nationals.

ARTICLE III.

Each of the high contracting parties may appoint consuls general, consuls, vice consuls, deputy consuls and consular agents in all ports, cities and places of the other, except in those where it may not be convenient to recognize such officers. This exception, however, shall not be made in regard to one of the contracting parties without being made likewise in regard to all other Powers.

Such consuls general, consuls, vice consuls, deputy consuls and consular agents, having received exequaturs or other sufficient authorizations from the government of the country to which they are appointed, shall, on condition of reciprocity, have the right to exercise the functions and to enjoy the exemptions and immunities which are or may hereafter be granted to the consular officers of the same rank of the most favored nation. The government issuing exequaturs or other authorizations may in its discretion cancel the same on communicating the reasons for which it thought proper to do so.

ARTICLE IV.

There shall be between the territories of the two high contracting parties reciprocal freedom of commerce and navigation. The citizens or subjects of each of the contracting parties, equally with the citizens or subjects of the most favored nation, shall have liberty freely to come with their ships and cargoes to all places, ports and rivers in the territories of the other which are or may be opened to foreign commerce, subject always to the laws of the country to which they thus come.

TREATY OF COMMERCE AND NAVIGATION BETWEEN THE UNITED STATES
AND JAPAN.

Signed at Washington, February 21, 1911.

The President of the United States of America and His Majesty the Emperor of Japan, being desirous to strengthen the relations of amity and good understanding which happily exist between the two nations, and believing that the fixation in a manner clear and positive of the rules which are hereafter to govern the commercial intercourse between their respective countries will contribute to the realization of this most desirable result, have resolved to conclude a treaty of commerce and navigation for that purpose, and to that end have named their plenipotentiaries, that is to say:

The President of the United States of America, Philander C. Knox,
Secretary of State of the United States; and

His Majesty the Emperor of Japan, Baron Yasuya Uchida, Jusammi;
Grand Cordon of the Imperial Order of the Rising Sun, His
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Who, after having communicated to each other their respective full powers, found to be in good and due form, have agreed upon the following articles:

ARTICLE I.

The citizens or subjects of each of the high contracting parties shall have liberty to enter, travel and reside in the territories of the other to carry on trade, wholesale and retail, to own or lease and occupy houses, manufactories, warehouses and shops, to employ agents of their choice, to lease land for residential and commercial purposes, and generally to do anything incident to or necessary for trade upon the same terms as native citizens or subjects, submitting themselves to the laws and regulations there established.

They shall not be compelled, under any pretext whatever, to pay any charges or taxes other or higher than those that are or may be paid by native citizens or subjects.

The citizens or subjects of each of the high contracting parties shall receive, in the territories of the other, the most constant protection and security for their persons and property, and shall enjoy in this respect the same rights and privileges as are or may be granted to native citizens or subjects, on their submitting themselves to the conditions imposed upon the native citizens or subjects.

They shall, however, be exempt in the territories of the other from compulsory military service either on land or sea, in the regular forces, or in the national guard, or in the militia; from all contributions imposed in lieu of personal service, and from all forced loans or military exactions or contributions.

ARTICLE II.

The dwellings, warehouses, manufactories and shops of the citizens or subjects of each of the high contracting parties in the territories of the other, and all premises appertaining thereto used for purposes of residence or commerce, shall be respected. It shall not be allowable to proceed to make a domiciliary visit to, or a search of, any such buildings and premises, or to examine or inspect books, papers or accounts, except under the conditions and with the forms prescribed by the laws, ordinances and regulations for nationals.

ARTICLE III.

Each of the high contracting parties may appoint consuls general, consuls, vice consuls, deputy consuls and consular agents in all ports, cities and places of the other, except in those where it may not be convenient to recognize such officers. This exception, however, shall not be made in regard to one of the contracting parties without being made likewise in regard to all other Powers.

Such consuls general, consuls, vice consuls, deputy consuls and consular agents, having received exequaturs or other sufficient authorizations from the government of the country to which they are appointed, shall, on condition of reciprocity, have the right to exercise the functions and to enjoy the exemptions and immunities which are or may hereafter be granted to the consular officers of the same rank of the most favored nation. The government issuing exequaturs or other authorizations may in its discretion cancel the same on communicating the reasons for which it thought proper to do so.

ARTICLE IV.

There shall be between the territories of the two high contracting parties reciprocal freedom of commerce and navigation. The citizens or subjects of each of the contracting parties, equally with the citizens or subjects of the most favored nation, shall have liberty freely to come with their ships and cargoes to all places, ports and rivers in the territories of the other which are or may be opened to foreign commerce, subject always to the laws of the country to which they thus come.

ARTICLE V.

The import duties on articles, the produce or manufacture of the territories of one of the high contracting parties, upon importation into the territories of the other, shall henceforth be regulated either by treaty between the two countries or by the internal legislation of each.

Neither contracting party shall impose any other or higher duties or charges on the exportation of any article to the territories of the other than are or may be payable on the exportation of the like article to any other foreign country.

Nor shall any prohibition be imposed by either country on the importation or exportation of any article from or to the territories of the other which shall not equally extend to the like article imported from or exported to any other country. The last provision is not, however, applicable to prohibitions or restrictions maintained or imposed as sanitary measures or for purposes of protecting animals and useful plants.

ARTICLE VI.

The citizens or subjects of each of the high contracting parties shall enjoy in the territories of the other exemption from all transit duties and a perfect equality of treatment with native citizens or subjects in all that relates to warehousing, bounties, facilities and drawbacks.

ARTICLE VII.

Limited-liability and other companies and associations, commercial, industrial, and financial, already or hereafter to be organized in accordance with the laws of either high contracting party and domiciled in the territories of such party, are authorized, in the territories of the other, to exercise their rights and appear in the courts either as plaintiffs or defendants, subject to the laws of such other party.

The foregoing stipulation has no bearing upon the question whether a company or association organized in one of the two countries will or will not be permitted to transact its business or industry in the other, this permission remaining always subject to the laws and regulations enacted or established in the respective countries or in any part thereof.

ARTICLE VIII.

All articles which are or may be legally imported into the ports of either high contracting party from foreign countries in national vessels may likewise be imported into those ports in vessels of the other contract-

ing party, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in national vessels. Such reciprocal equality of treatment shall take effect without distinction, whether such articles come directly from the place of origin or from any other foreign place.

In the same manner, there shall be perfect equality of treatment in regard to exportation, so that the same export duties shall be paid, and the same bounties and drawbacks allowed, in the territories of each of the contracting parties on the exportation of any article which is or may be legally exported therefrom, whether such exportation shall take place in vessels of the United States or in Japanese vessels, and whatever may be the place of destination, whether a port of the other party or of any third Power.

ARTICLE IX.

In all that regards the stationing, loading and unloading of vessels in the ports of the territories of the high contracting parties, no privileges shall be granted by either party to national vessels which are not equally, in like cases, granted to the vessels of the other country; the intention of the contracting parties being that in these respects the respective vessels shall be treated on the footing of perfect equality.

ARTICLE X.

Merchant vessels navigating under the flag of the United States or that of Japan and carrying the papers required by their national laws to prove their nationality shall in Japan and in the United States be deemed to be vessels of the United States or of Japan, respectively.

ARTICLE XI.

No duties of tonnage, harbor, pilotage, lighthouse, quarantine, or other similar or corresponding duties of whatever denomination, levied in the name or for the profit of government, public functionaries, private individuals, corporations or establishments of any kind shall be imposed in the ports of the territories of either country upon the vessels of the other, which shall not equally, under the same conditions, be imposed on national vessels in general, or on vessels of the most favored nation. Such equality of treatment shall apply reciprocally to the respective vessels from whatever place they may arrive and whatever may be their place of destination.

ARTICLE XII.

Vessels charged with performance of regular scheduled postal service of one of the high contracting parties, whether belonging to the state or subsidized by it for the purpose, shall enjoy, in the ports of the territories of the other, the same facilities, privileges and immunities as are granted to like vessels of the most favored nation.

ARTICLE XIII.

The coasting trade of the high contracting parties is excepted from the provisions of the present treaty and shall be regulated according to the laws of the United States and Japan, respectively. It is, however, understood that the citizens or subjects of either contracting party shall enjoy in this respect most-favored-nation treatment in the territories of the other.

A vessel of one of the contracting parties, laden in a foreign country with cargo destined for two or more ports of entry in the territories of the other, may discharge a portion of her cargo at one of the said ports, and, continuing her voyage to the other port or ports of destination, there discharge the remainder of her cargo, subject always to the laws, tariffs and customs regulations of the country of destination; and, in like manner and under the same reservation, the vessels of one of the contracting parties shall be permitted to load at several ports of the other for the same outward voyages.

ARTICLE XIV.

Except as otherwise expressly provided in this treaty, the high contracting parties agree that, in all that concerns commerce and navigation, any privilege, favor or immunity which either contracting party has actually granted, or may hereafter grant, to the citizens or subjects of any other state shall be extended to the citizens or subjects of the other contracting party gratuitously, if the concession in favor of that other state shall have been gratuitous, and on the same or equivalent conditions, if the concession shall have been conditional.

ARTICLE XV.

The citizens or subjects of each of the high contracting parties shall enjoy in the territories of the other the same protection as native citizens or subjects in regard to patents, trade-marks and designs, upon fulfillment of the formalities prescribed by law.

ARTICLE XVI.

The present treaty shall, from the date on which it enters into operation, supersede the Treaty of Commerce and Navigation dated the 22nd day of November, 1894; and from the same date the last-named treaty shall cease to be binding.

ARTICLE XVII.

The present treaty shall enter into operation on the 17th of July, 1911, and shall remain in force twelve years or until the expiration of six months from the date on which either of the contracting parties shall have given notice to the other of its intention to terminate the treaty.

In case neither of the contracting parties shall have given notice to the other six months before the expiration of the said period of twelve years of its intention to terminate the treaty, it shall continue operative until the expiration of six months from the date on which either party shall have given such notice.

ARTICLE XVIII.

The present treaty shall be ratified and the ratifications thereof shall be exchanged at Tokyo as soon as possible and not later than three months from the present date.

In witness whereof, the respective plenipotentiaries have signed this treaty in duplicate and have hereunto affixed their seals.

Done at Washington the 21st day of February, in the nineteen hundred and eleventh year of the Christian era, corresponding to the 21st day of the 2nd month of the 44th year of Meiji.

PHILANDER C. KNOX [SEAL]

Y. UCHIDA [SEAL]

Protocol.

The Government of the United States of America and the Government of Japan have, through their respective plenipotentiaries, agreed upon the following stipulation in regard to Article V of the Treaty of Commerce and Navigation between the United States and Japan signed this day to replace on the 17th of July, 1911, the treaty of the 22nd of November, 1894:

Pending the conclusion of a treaty relating to tariff, the provisions relating to tariff in the treaty of the 22nd of November, 1894, shall be maintained.

In witness whereof, the respective plenipotentiaries have signed this treaty in duplicate and have hereunto affixed their seals.

Done at Washington the 21st day of February, in the nineteen hundred and eleventh year of the Christian era, corresponding to the 21st day of the 2nd month of the 44th year of Meiji.

PHILANDER C. KNOX [SEAL]

Y. UCHIDA [SEAL]

IMPERIAL JAPANESE EMBASSY,
WASHINGTON.

Declaration.

In proceeding this day to the signature of the Treaty of Commerce and Navigation between Japan and the United States the undersigned, Japanese Ambassador in Washington, duly authorized by his Government has the honor to declare that the Imperial Japanese Government are fully prepared to maintain with equal effectiveness the limitation and control which they have for the past three years exercised in regulation of the emigration of laborers to the United States.

Y. UCHIDA.

February 21, 1911.

TREATY OF COMMERCE AND NAVIGATION BETWEEN THE UNITED STATES
AND JAPAN.

*Concluded at Washington, November 22, 1894; ratifications exchanged
March 21, 1895.*

The President of the United States of America and His Majesty the Emperor of Japan, being equally desirous of maintaining the relations of good understanding which happily exist between them, by extending and increasing the intercourse between their respective states, and being convinced that this object can not better be accomplished than by revising the treaties hitherto existing between the two countries, have resolved to complete such a revision, based upon principles of equity and mutual benefit, and, for that purpose, have named as their plenipotentiaries, that is to say:

The President of the United States of America, Walter Q. Gresham, Secretary of State of the United States, and His Majesty the Emperor of Japan, Jushi Shinichiro Kurino, of the Order of the Sacred Treasure, and of the Fourth Class; who, after having communicated to each other

their full powers, found to be in good and due form, have agreed upon and concluded the following Articles:—

ARTICLE I.

The citizens or subjects of each of the two high contracting parties shall have full liberty to enter, travel, or reside in any part of the territories of the other contracting party, and shall enjoy full and perfect protection for their persons and property.

They shall have free access to the courts of justice in pursuit and defence of their rights; they shall be at liberty equally with native citizens or subjects to choose and employ lawyers, advocates and representatives to pursue and defend their rights before such courts, and in all other matters connected with the administration of justice they shall enjoy all the rights and privileges enjoyed by native citizens or subjects.

In whatever relates to rights of residence and travel; to the possession of goods and effects of any kind; to the succession to personal estate, by will or otherwise, and the disposal of property of any sort and in any manner whatsoever which they may lawfully acquire the citizens or subjects of each contracting party shall enjoy in the territories of the other the same privileges, liberties, and rights, and shall be subject to no higher imposts or charges in these respects than native citizens or subjects or citizens or subjects of the most favored nation. The citizens or subjects of each of the contracting parties shall enjoy in the territories of the other entire liberty of conscience, and, subject to the laws, ordinances, and regulations, shall enjoy the right of private or public exercise of their worship and also the right of burying their respective countrymen, according to their religious customs, in such suitable and convenient places as may be established and maintained for that purpose.

They shall not be compelled, under any pretext whatsoever, to pay any charges or taxes other or higher than those that are, or may be paid by native citizens or subjects, or citizens or subjects of the most favored nation.

The citizens or subjects of either of the contracting parties residing in the territories of the other shall be exempt from all compulsory military service whatsoever, whether in the army, navy, national guard, or militia; from all contributions imposed in lieu of personal service; and from all forced loans or military exactions or contributions.

ARTICLE II.

There shall be reciprocal freedom of commerce and navigation between the territories of the two high contracting parties.

The citizens or subjects of each of the high contracting parties may trade in any part of the territories of the other by wholesale or retail in all kinds of produce, manufactures, and merchandise of lawful commerce, either in person or by agents, singly or in partnership with foreigners or native citizens or subjects; and they may there own or hire and occupy houses, manufactories, warehouses, shops and premises which may be necessary for them, and lease land for residential and commercial purposes, conforming themselves to the laws, police and customs regulations of the country like native citizens or subjects.

They shall have liberty freely to come with their ships and cargoes to all places, ports, and rivers in the territories of the other, which are or may be opened to foreign commerce, and shall enjoy, respectively, the same treatment in matters of commerce and navigation as native citizens or subjects, or citizens or subjects of the most favored nation, without having to pay taxes, imposts or duties, of whatever nature or under whatever denomination levied in the name or for the profit of the government, public functionaries, private individuals, corporations, or establishments of any kind, other or greater than those paid by native citizens or subjects, or citizens or subjects of the most favored nation.

It is, however, understood that the stipulations contained in this and the preceding article do not in any way affect the laws, ordinances and regulations with regard to trade, the immigration of laborers, police and public security which are in force or which may hereafter be enacted in either of the two countries.

ARTICLE III.

The dwellings, manufactories, warehouses, and shops of the citizens or subjects of each of the high contracting parties in the territories of the other, and all premises appertaining thereto destined for purposes of residence or commerce, shall be respected.

It shall not be allowable to proceed to make a search of, or a domiciliary visit to, such dwellings and premises, or to examine or inspect books, papers, or accounts, except under the conditions and with the forms prescribed by the laws, ordinances and regulations for citizens or subjects of the country.

ARTICLE IV.

No other or higher duties shall be imposed on the importation into the territories of the United States of any article, the produce or manufacture of the territories of His Majesty the Emperor of Japan, from whatever place arriving; and no other or higher duties shall be imposed on the importation into the territories of His Majesty the Emperor of Japan of any article, the produce or manufacture of the territories of the United States, from whatever place arriving, than on the like article produced or manufactured in any other foreign country; nor shall any prohibition be maintained or imposed on the importation of any article, the produce or manufacture of the territories of either of the high contracting parties, into the territories of the other, from whatever place arriving, which shall not equally extend to the importation of the like article, being the produce or manufacture of any other country. This last provision is not applicable to the sanitary and other prohibitions occasioned by the necessity of protecting the safety of persons, or of cattle, or of plants useful to agriculture.

ARTICLE V.

No other or higher duties or charges shall be imposed in the territories of either of the high contracting parties on the exportation of any article to the territories of the other than such as are, or may be, payable on the exportation of the like article to any other foreign country; nor shall any prohibition be imposed on the exportation of any article from the territories of either of the two high contracting parties to the territories of the other which shall not equally extend to the exportation of the like article to any other country.

ARTICLE VI.

The citizens or subjects of each of the high contracting parties shall enjoy in the territories of the other exemption from all transit duties, and a perfect equality of treatment with native citizens or subjects in all that relates to warehousing, bounties, facilities, and drawbacks.

ARTICLE VII.

All articles which are or may be legally imported into the ports of the territories of His Majesty the Emperor of Japan in Japanese vessels may likewise be imported into those ports in vessels of the United States, without being liable to any other or higher duties or charges of what-

ever denomination than if such articles were imported in Japanese vessels; and, reciprocally, all articles which are or may be legally imported into the ports of the territories of the United States in vessels of the United States may likewise be imported into those ports in Japanese vessels, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in vessels of the United States. Such reciprocal equality of treatment shall take effect without distinction, whether such articles come directly from the place of origin or from any other place.

In the same manner, there shall be perfect equality of treatment in regard to exportation, so that the same export duties shall be paid, and the same bounties and drawbacks allowed, in the territories of either of the high contracting parties on the exportation of any article which is or may be legally exported therefrom, whether such exportation shall take place in Japanese vessels or in vessels of the United States, and whatever may be the place of destination, whether a port of either of the high contracting parties or of any other Power.

ARTICLE VIII.

No duties of tonnage, harbor, pilotage, lighthouse, quarantine, or other similar or corresponding duties of whatever nature, or under whatever denomination levied in the name or for the profit of government, public functionaries, private individuals, corporations, or establishments of any kind, shall be imposed in the ports of the territories of either country upon the vessels of the other country which shall not equally and under the same conditions be imposed in the like cases on national vessels in general or vessels of the most favored nation. Such equality of treatment shall apply reciprocally to the respective vessels, from whatever port or place they may arrive, and whatever may be their place of destination.

ARTICLE IX.

In all that regards the stationing, loading, and unloading of vessels in the ports, basins, docks, roadsteads, harbors or rivers of the territories of the two countries, no privilege shall be granted to national vessels which shall not be equally granted to vessels of the other country; the intention of the high contracting parties being that in this respect also the respective vessels shall be treated on the footing of perfect equality.

ARTICLE X.

The coasting trade of both the high contracting parties is excepted from the provisions of the present treaty, and shall be regulated according to the laws, ordinances and regulations of the United States and Japan, respectively. It is, however, understood that citizens of the United States in the territories of His Majesty the Emperor of Japan and Japanese subjects in the territories of the United States, shall enjoy in this respect the rights which are, or may be, granted under such laws, ordinances and regulations to the citizens or subjects of any other country.

A vessel of the United States laden in a foreign country with cargo destined for two or more ports in the territories of His Majesty the Emperor of Japan, and a Japanese vessel laden in a foreign country with cargo destined for two or more ports in the territories of the United States, may discharge a portion of her cargo at one port, and continue her voyage to the other port or ports of destination where foreign trade is permitted, for the purpose of landing the remainder of her original cargo there, subject always to the laws and customs regulations of the two countries.

The Japanese Government, however, agrees to allow vessels of the United States to continue, as heretofore, for the period of the duration of the present treaty, to carry cargo between the existing open ports of the Empire, excepting to or from the ports of Osaka, Niigata, and Ebisuminato.

ARTICLE XI.

Any ship-of-war or merchant vessel of either of the high contracting parties which may be compelled by stress of weather, or by reason of any other distress, to take shelter in the port of the other, shall be at liberty to refit therein, to procure all necessary supplies, and to put to sea again, without paying any dues other than such as would be payable by national vessels. In case, however, the master of a merchant vessel should be under the necessity of disposing of a part of his cargo in order to defray the expenses, he shall be bound to conform to the regulations and tariffs of the place to which he may have come.

If any ship-of-war or merchant vessel of one of the high contracting parties should run aground or be wrecked upon the coasts of the other, the local authorities shall inform the consul general, consul, vice-consul, or consular agent of the district, of the occurrence, or if there be no such

consular officers, they shall inform the consul general, consul, vice-consul, or consular agent of the nearest district.

All proceedings relative to the salvage of Japanese vessels, wrecked or cast on shore in the territorial waters of the United States, shall take place in accordance with the laws of the United States, and, reciprocally, all measures of salvage relative to vessels of the United States, wrecked or cast on shore in the territorial waters of His Majesty the Emperor of Japan, shall take place in accordance with the laws, ordinances, and regulations of Japan.

Such stranded or wrecked ship or vessel, and all parts thereof, and all furnitures and appurtenances belonging thereunto, and all goods and merchandise saved therefrom, including those which may have been cast into the sea, or the proceeds thereof, if sold, as well as all papers found on board such stranded or wrecked ship or vessel, shall be given up to the owners or their agents, when claimed by them. If such owners or agents are not on the spot, the same shall be delivered to the respective consuls general, consuls, vice-consuls, or consular agents upon being claimed by them within the period fixed by the laws, ordinances and regulations of the country, and such consular officers, owners, or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses which would have been payable in the case of the wreck of a national vessel.

The goods and merchandise saved from the wreck shall be exempt from all the duties of the customs unless cleared for consumption, in which case they shall pay the ordinary duties.

When a vessel belonging to the citizens or subjects of one of the high contracting parties is stranded or wrecked in the territories of the other, the respective consuls general, consuls, vice-consuls, and consular agents shall be authorized, in case the owner or master, or other agent of the owner, is not present, to lend their official assistance in order to afford the necessary assistance to the citizens or subjects of the respective states. The same rule shall apply in case the owner, master, or other agent is present, but requires such assistance to be given.

ARTICLE XII.

All vessels which, according to United States law, are to be deemed vessels of the United States, and all vessels which, according to Japanese law, are to be deemed Japanese vessels, shall, for the purposes of this treaty, be deemed vessels of the United States and Japanese vessels, respectively.

ARTICLE XIII.

The consuls general, consuls, vice-consuls, and consular agents of each of the high contracting parties, residing in the territories of the other, shall receive from the local authorities such assistance as can by law be given to them for the recovery of deserters from the vessels of their respective countries.

It is understood that this stipulation shall not apply to the citizens or subjects of the country where the desertion takes place.

ARTICLE XIV.

The high contracting parties agree that, in all that concerns commerce and navigation, any privilege, favor or immunity which either high contracting party has actually granted, or may hereafter grant, to the government, ships, citizens or subjects, of any other state, shall be extended to the government, ships, citizens or subjects of the other high contracting party, gratuitously, if the concession in favor of that other state shall have been gratuitous, and on the same or equivalent conditions if the concession shall have been conditional; it being their intention that the trade and navigation of each country shall be placed, in all respects, by the other upon the footing of the most favored nation.

ARTICLE XV.

Each of the high contracting parties may appoint consuls general, consuls, vice-consuls, pro-consuls, and consular agents, in all the ports, cities, and places of the other, except in those where it may not be convenient to recognize such officers.

This exception, however, shall not be made in regard to one of the high contracting parties without being made likewise in regard to every other Power.

The consuls general, consuls, vice-consuls, pro-consuls, and consular agents may exercise all functions, and shall enjoy all privileges, exemptions, and immunities which are, or may hereafter be, granted to consular officers of the most favored nation.

ARTICLE XVI.

The citizens or subjects of each of the high contracting parties shall enjoy in the territories of the other the same protection as native citizens or subjects in regard to patents, trade-marks and designs, upon fulfilment of the formalities prescribed by law.

ARTICLE XVII.

The high contracting parties agree to the following arrangement:

The several foreign settlements in Japan shall, from the date this treaty comes into force, be incorporated with the respective Japanese communes, and shall thenceforth form part of the general municipal system of Japan. The competent Japanese authorities shall thereupon assume all municipal obligations and duties in respect thereof, and the common funds and property, if any, belonging to such settlements shall at the same time be transferred to the said Japanese authorities.

When such incorporation takes place existing leases in perpetuity upon which property is now held in the said settlements shall be confirmed, and no conditions whatsoever other than those contained in such existing leases shall be imposed in respect of such property. It is, however, understood that the consular authorities mentioned in the same are in all cases to be replaced by the Japanese authorities. All lands which may previously have been granted by the Japanese Government free of rent for the public purposes of the said settlements shall, subject to the right of eminent domain, be permanently reserved free of all taxes and charges for the public purposes for which they were originally set apart.

ARTICLE XVIII.

This treaty shall, from the date it comes into force, be substituted in place of the Treaty of Peace and Amity concluded on the 3d day of the 3d month of the 7th year of Kayei, corresponding to the 31st day of March 1854; the Treaty of Amity and Commerce concluded on the 19th day of the 6th month of the 5th year of Ansei, corresponding to the 29th day of July, 1858; the Tariff Convention concluded on the 13th day of the 5th month of the 2nd year of Keio, corresponding to the 25th day of June, 1866; the Convention concluded on the 25th day of the 7th month of the 11th year of Meiji, corresponding to the 25th day of July, 1878, and all arrangements and agreements subsidiary thereto concluded or existing between the high contracting parties; and from the same date such treaties, conventions, arrangements and agreements shall cease to be binding, and, in consequence, the jurisdiction then exercised by courts of the United States in Japan and all the exceptional privileges, exemptions and immunities then enjoyed by citizens of the United States as a part of, or appurtenant to such jurisdiction, shall absolutely and without notice cease and determine, and thereafter all such jurisdiction shall be assumed and exercised by Japanese courts.

ARTICLE XIX.

This treaty shall go into operation on the 17th day of July, 1899, and shall remain in force for the period of twelve years from that date.

Either high contracting party shall have the right, at any time thereafter to give notice to the other of its intention to terminate the same, and at the expiration of twelve months after such notice is given this treaty shall wholly cease and determine.

ARTICLE XX.

This treaty shall be ratified, and the ratifications thereof shall be exchanged either at Washington or Tokio, as soon as possible and not later than six months after its signature.

In witness whereof the respective plenipotentiaries have signed the present treaty in duplicate and have thereunto affixed their seals.

Done in the city of Washington the 22nd day of November in the eighteen hundred and ninety-fourth year of the Christian era, corresponding to the 22d day of the 11th month of the 27th year of Meiji.

WALTER Q. GRESHAM. [SEAL]

SHINICHIRO KURINO. [SEAL]

Protocol.

The Government of the United States of America and the Government of His Majesty the Emperor of Japan, deeming it advisable in the interests of both countries to regulate certain special matters of mutual concern, apart from the Treaty of Commerce and Navigation signed this day, have, through their respective plenipotentiaries, agreed upon the following stipulations:—

1. It is agreed by the contracting parties that one month after the exchange of the ratifications of the Treaty of Commerce and Navigation signed this day the import tariff now in operation in Japan in respect of goods and merchandise imported into Japan by citizens of the United States shall cease to be binding. From the same date the general statutory tariff of Japan shall, subject to the provisions of Article IX of the Treaty of March 31, 1854, at present subsisting between the contracting parties, so long as said treaty remains in force, and, thereafter, subject to the provisions of Article IV and Article XIV of the Treaty signed this day, be applicable to goods and merchandize being the growth, produce or manufacture of the territories of the United States upon importation into Japan.

But nothing contained in this protocol shall be held to limit or qualify the right of the Japanese Government to restrict or to prohibit the importation of adulterated drugs, medicines, food or beverages; indecent or obscene prints, paintings, books, cards, lithographic or other engravings, photographs or any other indecent or obscene articles; articles in violation of the patent, trade-mark or copy-right laws of Japan; or any other article which for sanitary reasons, or in view of public security or morals, might offer any danger.

2. The Japanese Government, pending the opening of the country to citizens of the United States, agrees to extend the existing passport system in such a manner as to allow citizens of the United States, on the production of a certificate of recommendation from the representative of the United States at Tokio or from any of the consuls of the United States at the open ports of Japan, to obtain upon application passports available for any part of the country and for any period not exceeding twelve months, from the Imperial Japanese Foreign Office in Tokio, or from the chief authorities in the prefecture in which an open port is situated, it being understood that the existing rules and regulations governing citizens of the United States who visit the interior of the empire are to be maintained.

3. The undersigned plenipotentiaries have agreed that this protocol shall be submitted to the two high contracting parties at the same time as the treaty of commerce and navigation signed this day, and that when the said treaty is ratified the agreements contained in the protocol shall also equally be considered as approved, without the necessity of a further formal ratification.

It is agreed that this protocol shall terminate at the same time the said treaty ceases to be binding.

In witness whereof the respective plenipotentiaries have signed the same and have affixed thereto their seals.

Done at Washington the 22d day of November in the eighteen hundred and ninety-fourth year of the Christian era, corresponding to the 22d day of the 11th month of the 27th year of Meiji.

WALTER Q. GRESHAM. [SEAL]
SHINICHIRO KURINO. [SEAL]

CONVENTION BETWEEN THE UNITED STATES AND MEXICO FOR THE
ARBITRATION OF THE CHAMIZAL CASE.¹

Signed at Washington, June 24, 1910; ratifications exchanged, January 24, 1911; proclaimed, January 25, 1911.

The United States of America and the United States of Mexico, desiring to terminate, in accordance with the various treaties and conventions now existing between the two countries, and in accordance with the principles of international law, the differences which have arisen between the two governments as to the international title to the Chamizal tract, upon which the members of the International Boundary Commission have failed to agree, and having determined to refer these differences to the said commission, established by the convention of 1889, which for this case only shall be enlarged as hereinafter provided, have resolved to conclude a convention for that purpose, and have appointed as their respective plenipotentiaries:

The President of the United States of America, Philander C. Knox, Secretary of State of the United States of America; and

The President of the United States of Mexico, Don Francisco León de la Barra, Ambassador Extraordinary and Plenipotentiary of the United States of Mexico at Washington;

Who, after having exhibited their respective full powers, and having found the same to be in good and due form, have agreed upon the following articles:

ARTICLE I.

The Chamizal tract in dispute is located at El Paso, Texas, and Ciudad Juárez, Chihuahua, and is bounded westerly and southerly by the middle of the present channel of the Rio Grande, otherwise called Rio Bravo del Norte, easterly by the middle of the abandoned channel of 1901, and northerly by the middle of the channel of the river as surveyed by Emory and Salazar in 1852, and is substantially as shown on a map on a scale of 1-5,000, signed by General Anson Mills, commissioner on the part of the United States, and Señor Don F. Javier Osorno, commissioner on the part of Mexico, which accompanies the report of the International Boundary Commission, in Case No. 13, entitled "Alleged Obstruction in the Mexican End of the El Paso Street Railway Bridge and Backwaters Caused by the Great Bend in the River Below," and on file in the archives of the two governments.

¹U. S. Treaty Series, No. 555.

ARTICLE II.

The difference as to the international title of the Chamizal tract shall be again referred to the International Boundary Commission, which shall be enlarged by the addition, for the purposes of the consideration and decision of the aforesaid difference only, of a third commissioner, who shall preside over the deliberations of the commission. This commissioner shall be a Canadian jurist and shall be selected by the two governments by common accord, or, failing such agreement, by the Government of Canada, which shall be requested to designate him. No decision of the commission shall be perfectly valid unless the commission shall have been fully constituted by the three members who compose it.

ARTICLE III.

The commission shall decide solely and exclusively as to whether the international title to the Chamizal tract is in the United States of America or Mexico. The decision of the commission, whether rendered unanimously or by majority vote of the commissioners, shall be final and conclusive upon both governments, and without appeal. The decision shall be in writing and shall state the reasons upon which it is based. It shall be rendered within thirty days after the close of the hearings.

ARTICLE IV.

Each government shall be entitled to be represented before the commission by an agent and such counsel as it may deem necessary to designate; the agent and counsel shall be entitled to make oral argument and to examine and cross-examine witnesses and, provided that the commission so decides, to introduce further documentary evidence.

ARTICLE V.

On or before December 1, 1910, each government shall present to the agent of the other party two or more printed copies of its case, together with the documentary evidence upon which it relies. It shall be sufficient for this purpose if each government delivers the copies and documents aforesaid at the Mexican Embassy at Washington or at the American Embassy at the City of Mexico, as the case may be, for transmission. As soon thereafter as possible, and within ten days, each party shall deliver two printed copies of its case and accompanying documentary evidence to each member of the commission. Delivery to the American and Mexican commissioners may be made at their offices in El Paso,

Texas; the copies intended for the Canadian commissioner may be delivered at the British Embassy at Washington or at the British Legation at the City of Mexico.

On or before February 1, 1911, each government may present to the agent of the other a counter case, with documentary evidence, in answer to the case and documentary evidence of the other party. The counter-case shall be delivered in the manner provided in the foregoing paragraph.

The commission shall hold its first session in the city of El Paso, State of Texas, where the offices of the International Boundary Commission are situated, on March 1, 1911, and shall proceed to the trial of the case with all convenient speed, sitting either at El Paso, Texas, or Ciudad Juarez, Chihuahua, as convenience may require. The commission shall act in accordance with the procedure established in the boundary convention of 1889. It shall, however, be empowered to adopt such rules and regulations as it may deem convenient in the course of the case.

At the first meeting of the three commissioners each party shall deliver to each of the commissioners and to the agent of the other party, in duplicate, with such additional copies as may be required, a printed argument showing the points relied upon in the case and counter-case, and referring to the documentary evidence upon which it is based. Each party shall have the right to file such supplemental printed brief as it may deem requisite. Such briefs shall be filed within ten days after the close of the hearings, unless further time be granted by the commission.

ARTICLE VI.

Each government shall pay the expenses of the presentation and conduct of its case before the commission; all other expenses which by their nature are a charge on both governments, including the honorarium for the Canadian commissioner, shall be borne by the two governments in equal moieties.

ARTICLE VII.

In case of the temporary or permanent unavoidable absence of any one of the commissioners, his place will be filled by the government concerned, except in the case of the Canadian jurist. The latter under any like circumstances shall be replaced in accordance with the provisions of this convention.

ARTICLE VIII.

If the arbitral award provided for by this convention shall be favorable to Mexico, it shall be executed within the term of two years, which can not be extended, and which shall be counted from the date on which the award is rendered. During that time the *status quo* shall be maintained in the Chamizal tract on the terms agreed upon by both governments.

ARTICLE IX.

By this convention the contracting parties declare to be null and void all previous propositions that have reciprocally been made for the diplomatic settlement of the Chamizal case; but each party shall be entitled to put in evidence by way of information such of this official correspondence as it deems advisable.

ARTICLE X.

The present convention shall be ratified in accordance with the constitutional forms of the contracting parties and shall take effect from the date of the exchange of its ratifications.

The ratifications shall be exchanged at Washington as soon as possible.

In witness whereof, the respective plenipotentiaries have signed the above articles, both in the English and Spanish languages, and have hereunto affixed their seals.

Done in duplicate at the City of Washington, this 24th day of June, one thousand nine hundred and ten.

PHILANDER C. KNOX [SEAL]

F. L. DE LA BARRA [SEAL]

SUPPLEMENTARY PROTOCOL BETWEEN THE UNITED STATES AND MEXICO
FOR THE ARBITRATION OF THE CHAMIZAL CASE.¹

Signed at Washington, December 5, 1910; ratifications exchanged January 24, 1911; proclaimed January 25, 1911.

The Plenipotentiaries who negotiated and signed the convention of June 24, 1910, for the arbitration of the Chamizal Case, being thereunto duly empowered by their respective governments, have agreed upon the following supplementary protocol:

¹ U. S. Treaty Series No. 556.

Whereas it has become necessary, owing to the lapse of time, that the dates fixed by Article V of the before-mentioned convention be changed, it is hereby agreed as follows:

The date for the presentation of the respective cases and documentary evidence is fixed for February 15, 1911;

The date for the presentation of the respective countercases and documentary evidence is fixed for April 15, 1911;

The date for the first session of the commission is fixed for May 15, 1911.

All other provisions of the convention of June 24, 1910, remain unchanged.

This supplementary protocol shall be ratified in accordance with the constitutional forms of the contracting parties and shall take effect from the date of the exchange of its ratifications.

The ratifications of the convention and the supplementary protocol shall be exchanged at Washington as soon as possible.

In witness whereof, the respective plenipotentiaries have signed the above supplementary protocol, both in the English and Spanish languages, and have hereunto affixed their seals.

Done in duplicate at the city of Washington, this fifth day of December, one thousand nine hundred and ten.

PHILANDER C. KNOX [SEAL]
[SEAL] F. L. DE LA BARRA

BOUNDARY CONVENTION BETWEEN THE UNITED STATES AND MEXICO.

*Concluded at Washington, March 1, 1889; ratifications exchanged
December 24, 1890.*

The United States of America and the United States of Mexico, desiring to facilitate the carrying out of the principles contained in the treaty of November 12, 1884, and to avoid the difficulties occasioned by reason of the changes which take place in the bed of the Rio Grande and that of the Colorado river, in that portion thereof where they serve as a boundary between the two republics, have resolved to conclude a treaty for the attainment of these objects, and have appointed as their respective plenipotentiaries:

The President of the United States of America, Thomas F. Bayard, Secretary of State of the United States of America; and

The President of the United States of Mexico, Matias Romero, Envoy

Extraordinary and Minister Plenipotentiary of the United States of Mexico, at Washington;

Who, after having exhibited their respective full powers, and having found the same to be in good and due form, have agreed upon the following articles:

ARTICLE I.

All differences or questions that may arise on that portion of the frontier between the United States of America, and the United States of Mexico where the Rio Grande and the Colorado rivers form the boundary line, whether such differences or questions grow out of alterations or changes in the bed of the aforesaid Rio Grande and that of the aforesaid Colorado River, or of works that may be constructed in said rivers, or of any other cause affecting the boundary line, shall be submitted for examination and decision to an International Boundary Commission, which shall have exclusive jurisdiction in the case of said differences or questions.

ARTICLE II.

The International Boundary Commission shall be composed of a Commissioner appointed by the President of the United States of America, and of another appointed by the President of the United States of Mexico, in accordance with the constitutional provisions of each country, of a consulting engineer, appointed in the same manner by each government, and of such secretaries and interpreters as either government may see fit to add to its commission. Each government separately shall fix the salaries and emoluments of the members of its commission.

ARTICLE III.

The International Boundary Commission shall not transact any business unless both commissioners are present. It shall sit on the frontier of the two contracting countries, and shall establish itself at such places as it may determine upon; it shall, however, repair to places at which any of the difficulties or questions mentioned in this convention may arise, as soon as it shall have been duly notified thereof.

ARTICLE IV.

When, owing to natural causes, any change shall take place in the bed of the Rio Grande or in that of the Colorado River, in that portion thereof wherein those rivers form the boundary line between the two countries, which may affect the boundary line, notice of that fact shall be given by the proper local authorities on both sides to their respective

commissioners of the International Boundary Commission, on receiving which notice it shall be the duty of the said commission to repair to the place where the change has taken place or the question has arisen, to make a personal examination of such change, to compare it with the bed of the river as it was before the change took place, as shown by the surveys, and to decide whether it has occurred through avulsion or erosion, for the effects of Articles I and II of the convention of November 12, 1884; having done this, it shall make suitable annotations on the surveys of the boundary line.

ARTICLE V.

Whenever the local authorities on any point of the frontier between the United States of America and the United States of Mexico, in that portion in which the Rio Grande and the Colorado River form the boundary between the two countries, shall think that works are being constructed, in either of those rivers, such as are prohibited by Article III of the convention of November 12, 1884, or by Article VII of the treaty of Guadalupe Hidalgo of February 2, 1848, they shall so notify their respective commissioners, in order that the latter may at once submit the matter to the International Boundary Commission, and that said commission may proceed, in accordance with the provisions of the foregoing article, to examine the case, and that it may decide whether the work is among the number of those which are permitted, or of those which are prohibited by the stipulations of those treaties.

The commission may provisionally suspend the construction of the works in question pending the investigation of the matter, and if it shall fail to agree on this point, the works shall be suspended, at the instance of one of the two governments.

ARTICLE VI.

In either of these cases, the commission shall make a personal examination of the matter which occasions the change, the question or the complaint, and shall give its decision in regard to the same, in doing which it shall comply with the requirements established by a body of regulations to be prepared by the said commission and approved by both governments.

ARTICLE VII.

The International Boundary Commission shall have power to call for papers and information, and it shall be the duty of the authorities of each of the two countries to send it any papers that it may call for, re-

lating to any boundary question in which it may have jurisdiction in pursuance of this convention.

The said commission shall have power to summon any witnesses whose testimony it may think proper to take, and it shall be the duty of all persons thus summoned to appear before the same and to give their testimony, which shall be taken in accordance with such by-laws and regulations as may be adopted by the commission and approved by both governments. In case of the refusal of a witness to appear, he shall be compelled to do so, and to this end the commission may make use of the same means that are used by the courts of the respective countries to compel the attendance of witnesses, in conformity with their respective laws.

ARTICLE VIII.

If both commissioners shall agree to a decision, their judgment shall be considered binding upon both governments, unless one of them shall disapprove it within one month reckoned from the day on which it shall have been pronounced. In the latter case, both governments shall take cognizance of the matter, and shall decide it amicably, bearing constantly in mind the stipulation of Article XXI of the treaty of Guadalupe Hidalgo of February 2, 1848.¹

The same shall be the case when the commissioners shall fail to agree concerning the point which occasions the question, the complaint or the change, in which case each commissioner shall prepare a report, in writing, which he shall lay before his government.

ARTICLE IX.

This convention shall be ratified by both parties, in accordance with the provisions of their respective constitutions, and the ratifications thereof shall be exchanged at Washington as speedily as possible, and shall be in force from the date of the exchange of ratifications for a period of five years.

In testimony whereof the undersigned plenipotentiaries have signed and sealed it.

Done in duplicate, in the city of Washington, in the English and Spanish languages, on the 1st day of March one thousand eight hundred and eighty-nine.

T. F. BAYARD. [SEAL]
M. ROMERO. [SEAL]

¹ See p. 125, *infra*.

ARTICLE XXI OF THE TREATY OF GUADALUPE HIDALGO BETWEEN THE
UNITED STATES AND MEXICO.

Signed February 2, 1848.

If unhappily any disagreement should hereafter arise between the governments of the two republics, whether with respect to the interpretation of any stipulation in this treaty, or with respect to any other particular concerning the political or commercial relations of the two nations, the said Governments, in the name of those nations, do promise to each other, that they will endeavour, in the most sincere and earnest manner, to settle the differences so arising, and to preserve the state of peace and friendship, in which the two countries are now placing themselves; using for this end, mutual representations and pacific negotiations. And if, by these means, they should not be enabled to come to an agreement, a resort shall not, on this account, be had to reprisals, aggression or hostility of any kind, by the one republic against the other, until the government of that which deems itself aggrieved, shall have maturely considered, in the spirit of peace and good neighborhood, whether it would not be better that such difference should be settled by the arbitration of commissioners appointed on each side, or by that of a friendly nation. And should such course be proposed by either party, it shall be acceded to by the other, unless deemed by it altogether incompatible with the nature of the difference, or the circumstances of the case.

CONVENTION BETWEEN GREAT BRITAIN AND THE NETHERLANDS RENEWING
FOR FIVE YEARS THE ARBITRATION CONVENTION OF FEBRUARY
15, 1905.

Signed at London December 16, 1909.

Her Majesty the Queen of the Netherlands and His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, signatories of the convention for the pacific settlement of international disputes, concluded at The Hague on the 29th July, 1899;

Taking into consideration that by Article 19 of that convention the high contracting parties have reserved to themselves the right of concluding agreements, with a view to referring to arbitration all questions which they shall consider possible to submit to such treatment;

Have named as their plenipotentiaries:

Her Majesty the Queen of the Netherlands, Karel Willem Paul Frans Baron Gericke Van Herwijnen, Her Envoy Extraordinary and Minister Plenipotentiary at London, Chamberlain Extraordinary; and

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, the Right Honourable Sir Edward Grey, a Baronet of the United Kingdom, a Member of Parliament, His Majesty's Principal Secretary of State for Foreign Affairs;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed as follows:

ARTICLE 1.

The high contracting parties hereby renew for a further period of 5 years, dating from the 12th of July next, the convention signed at London on the 15th February, 1905, for the settlement by arbitration of certain classes of questions which may arise between the two governments.

ARTICLE 2.

The present convention shall be ratified, and the ratifications shall be exchanged at London as soon as possible.

Done in duplicate at London, the 16th day of December, 1909.

(L. S.) GERICKE.

(L. S.) E. GREY.

CONVENTION BETWEEN GREAT BRITAIN AND THE NETHERLANDS, PROVIDING FOR THE SETTLEMENT BY ARBITRATION OF CERTAIN CLASSES OF QUESTIONS WHICH MAY ARISE BETWEEN THE TWO GOVERNMENTS.

Signed at London, February 15, 1905; ratifications exchanged at London, July 12, 1905.

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and Her Majesty the Queen of the Netherlands, signatories of the convention for the pacific settlement of international disputes, concluded at The Hague on the 29th July, 1899;

Taking into consideration that by Article XIX of that convention the high contracting parties have reserved to themselves the right of concluding agreements, with a view to referring to arbitration all questions which they shall consider possible to submit to such treatment,

Have named as their plenipotentiaries to conclude the following arrangement:

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, the Most Honourable Henry Charles Keith Petty-Fitzmaurice, Marquess of Lansdowne, His Majesty's Principal Secretary of State for Foreign Affairs; and

Her Majesty the Queen of the Netherlands, Karel Willem Paul Frans Baron Gericke van Herwijnen, Her envoy extraordinary and minister plenipotentiary at London, Chamberlain extraordinary:

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed as follows:

ART. I. Differences which may arise of a legal nature, or relating to the interpretation of treaties existing between the high contracting parties, and which it may not have been possible to settle by diplomacy, shall be referred to the Permanent Court of Arbitration established at The Hague by the convention of the 29th July, 1899: provided, nevertheless, that they do not affect the vital interests, the independence, or the honour of the two contracting states, and do not concern the interests of third parties.

II. In each individual case the high contracting parties, before appealing to the Permanent Court of Arbitration, shall conclude a special agreement defining clearly the matter in dispute, the scope of the powers of the arbitrators, and the periods to be fixed for the formation of the arbitral tribunal and the several stages of the procedure.

III. The present convention, which shall be ratified, is concluded for a period of five years, dating from the exchange of the ratifications, which shall take place at London as soon as possible.

Done in duplicate at London, the 15th day of February, 1905.

(L. s.) LANSDOWNE.

(L. s.) GERICKE.

AN ACT PROVIDING FOR THE PURCHASE OR ERECTION, WITHIN CERTAIN
LIMITS OF COST, OF EMBASSY, LEGATION, AND CONSULAR BUILDINGS
ABROAD.

Approved, February 17, 1911.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of State be, and he is hereby, authorized to acquire in foreign countries such sites and buildings as may be appropriated for by Congress for the use of the diplomatic and consular establishments of the United States, and to alter, repair, and furnish the said buildings; suitable buildings for this purpose to be either purchased or erected, as to the Secretary of State may seem best, and all buildings so acquired for the diplomatic service shall be used both as the residences of diplomatic officials and for the offices of the diplomatic establishment: Provided, however, That not more than the sum of five hundred thousand dollars shall be expended in any fiscal year under the authorization herein made: And provided further, That in submitting estimates of appropriation to the Secretary of the Treasury for transmission to the House of Representatives, the Secretary of State shall set forth a limit of cost for the acquisition of sites and buildings and for the construction, alteration, repair, and furnishing of buildings at each place in which the expenditure is proposed (which limit of cost shall not exceed the sum of one hundred and fifty thousand dollars at any one place) and which limit shall not thereafter be exceeded in any case, except by new and express authorization of Congress.

LIST OF OFFICERS IN THE DIPLOMATIC SERVICE OF THE UNITED STATES CORRECTED TO MARCH 20, 1911.

(See page — for Abbreviations and Key to References.)

To what country ac- credited.	Name and rank.	Residence.	Where born.	Whence ap- pointed	Date of commission.	Com- pen- sation.
Abyssinia	Minister Resident & C. G.	Adis Ababa				
Argentine Re- public.	Charles H. Sherrill, E. E. & M. P.	Buenos Aires	D. C.	N. Y.	Apr. 1, 1909	\$12,000
	Robert Woods Bliss, Sec. of Leg.	Buenos Aires	Mo.	N. Y.	Aug. 4, 1909	2,625
	Com. Albert P. Niblack, Nav. Att.	Buenos Aires	Ind.	Navy	June 18, 1910	
	1st Lieut. John S. Hammond, Mil. Att.	Buenos Aires	N. Y.	Army	May 13, 1910	
Austra-Hungary	Richard C. Kerens, (n) Amb. E. & P.	Vienna	Ireland	Mo.	Dec. 21, 1909	17,500
	Joseph C. Grew, (c) Sec. of Emb.	Vienna	Mass.	Mass.	Jan. 27, 1911	3,000
	M. Marshall Langhorne, 2d Sec. of Emb.	Vienna	Va.	Va.	Mar. 2, 1911	2,000
	Com. Andrew T. Long, Nav. Att.	Rome	N. C.	Navy	May 26, 1909	
	Maj. William H. Allaire, Mil. Att.	Vienna	Ark.	Army	Sept. 16, 1907	
Belgium	Charles Page Bryan, E. E. & M. P.	Brussels	Ill.	Ill.	Dec. 21, 1909	12,000
	U. Grant-Smith, Sec. of Leg.	Brussels	Pa.	Pa.	Aug. 4, 1909	2,625
	Maj. T. Bentley Mott, Mil. Att.	Paris	Va.	Army	Sept. 22, 1909	
Bolivia	Horace G. Knowles, E. E. & M. P.	La Paz	Del.	Del.	June 24, 1910	10,000
						2,000
Brazil	Irving B. Dudley, Amb. E. & P.	Rio de Janeiro	Ohio	Cal.	Dec. 19, 1906	17,500
	George B. Rives, Sec. of Emb.	Rio de Janeiro	N. Y.	N. J.	Jan. 31, 1911	3,000
	Arthur Orr, (c) 2d Sec. of Emb.	Rio de Janeiro	Ill.	Ill.	Mar. 2, 1911	2,000
	Com. Albert P. Niblack, Nav. Att.	Buenos Aires	Ind.	Navy	June 18, 1910	
Bulgaria	John R. Carter, E. E. & M. P. (q)	Bucharest	Md.	Md.	June 24, 1910	10,000
	Roland B. Harvey, (c) Sec. of Leg. & C. G.	Bucharest	Md.	Md.	June 24, 1910	2,000
Chile	Henry P. Fletcher, E. E. & M. P.	Santiago	Pa.	Pa.	Dec. 21, 1909	12,000
	Seth Low Pierrepont, (c) Sec. of Leg.	Santaigo	N. Y.	Conn.	Aug. 4, 1909	2,625
	Com. Albert P. Niblack, Nav. Att.	Buenos Aires	Ind.	Navy	June 18, 1910	
	2d Lt. Francis A. Ruggles, Mil. Att.	Santiago	Minn.	Army	Aug. 4, 1908	
China	William James Calhoun, E. E. & M. P.	Peking	Pa.	Ill.	Dec. 21, 1909	12,000
	Lewis Einstein, Sec. of Leg.	Peking	N. Y.	N. Y.	Dec. 21, 1909	2,625
	Charles D. Tenney, Chinese Sec.	Peking	Mass.	Mass.	Mar. 11, 1908	3,600
	Percival Heintzleman, (f) 2d Sec. of Leg.	Peking	Pa.	Pa.	Aug. 16, 1910	1,800
	Willys R. Peck, (af) Asst. Chinese Sec.	Peking	China	Cal.	Nov. 9, 1908	2,000
	Harold O. Henry, (a) Stud. Int.	Peking	France	R. I.	June 4, 1908	1,000
	Mahlon Fay Perkins, Stud. Int.	Peking	Mass.	Cal.	Jan. 14, 1909	1,000
	Raymond P. Tenney, (a) Stud. Int.	Peking	China	Mass.	June 2, 1909	1,000
	Horace Remillard, Stud. Int.	Peking	Mass.	Mass.	June 2, 1909	1,000
	George C. Hanson, Stud. Int.	Peking	Conn.	Conn.	June 12, 1909	1,000
	Crawford M. Bishop, Stud. Int.	Peking	Md.	Md.	Apr. 1, 1910	1,000
	John A. Bristow, Stud. Int.	Peking	Iowa	Iowa	Apr. 1, 1910	1,000
	Paul R. Josselyn, Stud. Int.	Peking	Iowa	Iowa	Apr. 20, 1910	1,000
	George F. Bickford, Stud. Int.	Peking	Wash.	Wash.	Mar. 10, 1911	1,000
	Charles P. McKiernan, Stud. Int.	Peking	Conn.	N. Y.	Mar. 10, 1911	1,000
	Capt. John H. Shipley, Nav. Att.	Tokyo	Iowa	Navy	Apr. 22, 1910	
	Capt. James H. Reeves, Mil. Att.	Peking	Ala.	Army	Feb. 16, 1907	
	Capt. Thomas Holcomb, jr., Att.	Peking	Del.	Navy	May 26, 1910	
	1st Lt. Epaminondas L. Bigler, Att.	Peking	Ohio	Navy	May 26, 1910	

To what country accredited.	Name and rank.	Residence.	Where born.	Whence appointed.	Date of commission.	Compensation.
Colombia	E. E. & M. P.	Bogota				\$10,000
	Arthur Hugh Frazier, (ac) Sec. of Leg.	Bogota	Ger.	Pa.	Feb. 18, 1910	2,000
Costa Rica	William L. Merry, E. E. & M. P.	San Jose	N. Y.	Cal.	July 1, 1908	10,000
	Gustavus L. Monroe, jr., (c) Sec. of Leg.	San Jose	Miss.	Miss.	May 15, 1909	2,000
Cuba	John B. Jackson, E. E. & M. P.	Habana	N. J.	N. J.	Dec. 21, 1909	12,000
	Charles D. White, Sec. of Leg.	Habana	N. Y.	N. J.	Mar. 31, 1910	2,625
	Norval Richardson, (c) 2d Sec. of Leg.	Habana	Miss.	Miss.	Aug. 4, 1909	1,800
	Maj. Henry A. Barber, Mil. Att.	Habana	Md.	Army.	Mar. 8, 1909	
Denmark	Maurice Francis Egan, E. E. & M. P.	Copenhagen	Pa.	D. C.	June 10, 1907	10,000
	William K. Wallace, (c) Sec. of Leg.	Copenhagen	N. Y.	Colo.	Aug. 4, 1909	2,000
Dominican Republic	William W. Russell, Min. Res. & C. G.	Santo Domingo	D. C.	D. C.	June 24, 1910	10,000
	Francis Munroe Endicott, (c) Sec. of Leg.	Santo Domingo	N. Y.	Mass.	Aug. 4, 1909	2,000
Ecuador	Williams C. Fox, E. E. & M. P.	Quito	Mo.	N. J.	Jan. 10, 1907	10,000
	Rutherford Bingham (i), Sec. of Leg.	Quito	Mo.	D. C.	Mar. 2, 1911	2,000
	1st Lt. Constant Cordier, Mil. Att.	Lima	La.	Army.	Mar. 14, 1907	
France	Robert Bacon, Amb. E. & P.	Paris	Mass.	N. Y.	Dec. 21, 1909	17,500
	Arthur Bailly-Blanchard, Sec. of Emb.	Paris	La.	La.	Aug. 4, 1909	3,000
	Sheldon Whitehouse, (c) 2d Sec. of Emb.	Paris	N. Y.	N. Y.	Mar. 2, 1911	2,000
	Warren D. Robbins (i), 3d Sec. of Emb.	Paris	N. Y.	Mass.	Mar. 2, 1911	1,200
	Lt. Com. Henry H. Hough, Nav. Att.	Paris	Mique'n	Navy.	Nov. 8, 1910	
	Maj. T. Bentley Mott, Mil. Att.	Paris	Va.	Army.	Apr. 10, 1909	
German Empire	David J. Hill, Amb. E. & P.	Berlin	N. J.	N. Y.	Apr. 2, 1908	17,500
	Irwin B. Laughlin, Sec. of Emb.	Berlin	Pa.	Pa.	Dec. 21, 1909	3,000
	Jordan Herbert Stabler, (c) 2d Sec. of Emb.	Berlin	Md.	Md.	Mar. 2, 1911	2,000
	Perry Belden, (i) 3d Sec. of Emb.	Berlin	N. Y.	N. Y.	Mar. 31, 1910	1,200
	Lt. Com. Frederick A. Traut, Nav. Att.	Berlin	Conn.	Navy.	July 20, 1910	
	Capt. Samuel G. Shurtle, Mil. Att.	Berlin	Pa.	Army.	Apr. 5, 1909	
Great Britain	Whitelaw Reid, Amb. E. & P.	London	Ohio.	N. Y.	Mar. 8, 1905	17,500
	William Phillips, Sec. of Emb.	London	Mass.	Mass.	Sept. 25, 1909	3,000
	Leland Harrison, (c) 2d Sec. of Emb.	London	N. Y.	Ill.	Aug. 16, 1910	2,000
	Sheldon L. Crosby, (i) 3d Sec. of Emb.	London	N. Y.	N. Y.	Mar. 31, 1910	1,200
	Com. Edward Simpson, Nav. Att.	London		Navy.	June 1, 1909	
	Maj. Stephen L'H. Slocum, Mil. Att.	London	Ohio.	Army.	Oct. 8, 1910	
Greece	George H. Moses, E. E. & M. P. (m)	Athens	Me.	N. H.	Apr. 5, 1909	10,000
	Frederic Ogden de Billier, (c) Sec. of Leg.	Athens	N. Y.	D. C.	July 28, 1910	2,000
Guatemala	R. S. Reynolds Hitt, (a) E. E. & M. P.	Guatemala	France.	Ill.	Sept. 17, 1910	10,000
	Charles Campbell, jr., (c) Sec. of Leg.	Guatemala	Mo.	Va.	Mar. 2, 1911	2,000
	Maj. Wallis O. Clark, Mil. Att.	Guatemala	Mass.	Army.	Apr. 29, 1910	
Haiti	Henry W. Furniss, E. E. & M. P.	Port au Prince	N. Y.	Ind.	Nov. 23, 1905	10,000
Honduras	Fenton R. McCreery, E. E. & M. P.	Tegucigalpa	Mich.	Mich.	Dec. 21, 1909	10,000
	J. Butler Wright, (c) Sec. of Leg.	Tegucigalpa	N. Y.	Wyo.	Aug. 4, 1909	2,000
Italy	John G. A. Leishman, Amb. E. & P.	Rome	Pa.	Pa.	Apr. 1, 1909	17,500
	Charles S. Wilson, Sec. of Emb.	Rome	Me.	Me.	Dec. 15, 1910	3,000
	Alexander R. Magruder (ac), 2d Sec. of Emb.	Rome	France.	Md.	Mar. 2, 1911	2,000
	Com. Andrew T. Long, Nav. Att.	Rome	N. C.	Navy.	May 26, 1909	
	Maj. J. F. Reynolds Landis, Mil. Att.	Rome	Pa.	Army.	Mar. 3, 1908	
Japan	Thomas J. O'Brien, Amb. E. & P.	Tokyo	Mich.	Mich.	June 11, 1907	17,500
	Montgomery Schuyler, jr., Sec. of Emb.	Tokyo	Conn.	N. Y.	Dec. 21, 1909	3,000
	George T. Summerlin, 2d Sec. of Emb.	Tokyo	La.	La.	Apr. 7, 1910	2,000
	Charles Jonathan Arnell, (f) Japanese Sec. and Int.	Tokyo		Wash.	Sept. 7, 1909	3,600
	3d Sec. of Emb.	Tokyo				1,200
	John K. Caldwell, (f) Asst. Japanese Sec.	Tokyo	Ohio.	Ky.	Dec. 4, 1909	2,000

To what country accredited.	Name and rank.	Residence.	Where born.	Whence appointed.	Date of commission.	Compensation.
Japan—Cont.	Joseph W. Ballantine, (a) Stud. Int.	Tokyo.	India.	Mass.	June 2, 1909	\$1,000
	Raymond S. Curtice, Stud. Int.	Tokyo.	Conn.	Pa.	Apr. 1, 1910	1,000
	Harold C. Huggins, Stud. Int.	Tokyo.	Oreg.	Oreg.	Apr. 1, 1910	1,000
	Max D. Kirjassoff (n)	Tokyo.	Russia.	Conn.	Mar. 10, 1911	1,000
	Capt. John H. Shipley, Nav. Att.	Tokyo.	Iowa.	Navy.	Apr. 22, 1910	
	Maj. Harry L. Hawthorne, Mil. Att.	Tokyo.	Minn.	Army.	Nov. 16, 1909	
	Capt. Harry H. Pattison, Att.	Tokyo.	Ohio.	Army.	Feb. 24, 1908	
	1st Lt. Nicholas W. Campanole, Att.	Tokyo.	N. Mex.	Army.	Feb. 24, 1908	
	1st Lt. William T. Hoadley, Att.	Tokyo.	N. S.	Navy.	May 26, 1910	
	2d Lt. James G. McIlroy, Att.	Tokyo.	Ohio.	Army.	Feb. 24, 1908	
	2d Lt. George V. Strong, Att.	Tokyo.	Ill.	Army.	Feb. 24, 1908	
	Ensign George E. Lake, Att.	Tokyo.	Ill.	Navy.	Apr. 13, 1910	
	Ensign Fred F. Rogers, Att.	Tokyo.	Ill.	Navy.	Feb. 8, 1910	
	William D. Crum, Minister Res. & C. G.	Monrovia.	S. C.	S. C.	June 13, 1910	5,000
	Richard C. Bundy, (i) Sec. of Leg.	Monrovia.	Ohio.	Ohio.	Mar. 31, 1910	2,000
	1st Lt. Benjamin O. Davis, Mil. Att.	Monrovia.	D. C.	Army.	Dec. 6, 1909	
Luxemburg	Arthur M. Beaupre, E. E. & M. P. (o)	The Hague.	Ill.	Ill.	Apr. 2, 1908	12,000
	Paxton Hibben, Sec. of Leg.	The Hague.	Ind.	Ind.	Dec. 21, 1909	2,625
Mexico	Henry Lane Wilson, Amb. E. & P.	Mexico.	Ind.	Wash.	Dec. 21, 1909	17,500
	Fred Morris Dearing, Sec. of Emb.	Mexico.	Mo.	Mo.	Aug. 12, 1910	3,000
	Nelson O'Shaughnessy, 2d Sec. of Emb.	Mexico.	N. Y.	N. Y.	Jan. 27, 1911	2,000
	Frank D. Arnold, (c) 3d Sec. of Emb.	Mexico.	Pa.	Pa.	Aug. 12, 1910	1,200
	Capt. Girard Sturtevant, Mil. Att.	Mexico.	N. Y.	Army.	Aug. 21, 1908	
Montenegro	George H. Moses, E. E. & M. P. (m)	Athens.	Me.	N. H.	Apr. 5, 1909	10,000
	Frederic Ogden de Billier, (c) Sec. of Leg.	Athens.	N. Y.	D. C.	July 28, 1910	2,000
Morocco	Fred W. Carpenter, E. E. & M. P.	Tangier.	Minn.	Cal.	June 2, 1910	10,000
	Cyrus F. Wicker, (c) Sec. of Leg.	Tangier.	Mich.	N. Y.	June 24, 1910	2,000
Netherlands	Arthur M. Beaupre, E. E. & M. P. (o)	The Hague.	Ill.	Ill.	Apr. 2, 1908	12,000
	Paxton Hibben, Sec. of Leg.	The Hague.	Ind.	Ind.	Dec. 21, 1909	2,625
Nicaragua	Elliott Northcott, E. E. & M. P.	Managua.	W. Va.	W. Va.	Jan. 9, 1911	10,000
	Franklin Mott Gunther, (c) Sec. of Leg.	Managua.	N. Y.	Va.	Jan. 27, 1911	2,000
Norway	Herbert H. D. Peirce, E. E. & M. P.	Christiania.	Mass.	Mass.	June 22, 1906	10,000
	Charles B. Curtis, (c) Sec. of Leg.	Christiania.	N. Y.	N. Y.	Mar. 31, 1910	2,000
	1st Lt. William M. Colvin, Mil. Att.	Stockholm.	Mo.	Army.	Mar. 17, 1911	
Panama	Thomas C. Dawson, E. E. & M. P.	Panama.	Wis.	Iowa.	June 24, 1910	10,000
	William W. Andrews (i), Sec. of Leg.	Panama.	Ohio.	Ohio.	Mar. 2, 1911	2,000
Paraguay	Edwin V. Morgan, E. E. & M. P. (p)	Montevideo.	N. Y.	N. Y.	Dec. 21, 1909	10,000
	A. Campbell Turner, (c) Sec. of Leg.	Montevideo.	Mo.	Mo.	Mar. 2, 1911	2,000
	1st Lt. John S. Hammond, Mil. Att.	Montevideo.	N. Y.	Army.	Nov. 3, 1910	
Persia	Charles W. Russell, E. E. & M. P.	Teheran.	W. Va.	D. C.	Dec. 21, 1909	10,000
	Edward Bell, (i) Sec. of Leg.	Teheran.	N. Y.	N. Y.	Mar. 2, 1911	2,000
	John Tyler, Int.	Teheran.	Eng.	Persia.		1,000
Peru	H. Clay Howard, E. E. & M. P.	Lima.	Ky.	Ky.	Jan. 18, 1911	10,000
	William P. Cresson, (c) Sec. of Leg.	Lima.	Del.	Nev.	Aug. 4, 1909	2,000
	Lt. Constant Cordier, Mil. Att.	Lima.	La.	Army.	Mar. 14, 1907	
Portugal	Henry S. Boutell, E. E. & M. P.	Lisbon.	Mass.	Ill.	Mar. 2, 1911	10,000
	George L. Lorillard, Sec. of Leg.	Lisbon.	R. I.	R. I.	June 10, 1908	2,000
Roumania	John R. Carter, E. E. & M. P. (q)	Bucharest.	Md.	Md.	June 24, 1910	10,000
	Roland B. Harvey, (c) Sec. of Leg. & C. G.	Bucharest.	Md.	Md.	June 24, 1910	2,000
Russia	William Woodville Rockhill, Amb. E. & P.	St. Petersburg.	Pa.	D. C.	May 17, 1909	17,500
	George Post Wheeler, (c) Sec. of Emb.	St. Petersburg.	N. Y.	Wash.	Dec. 21, 1909	3,000
	Alexander Benson (c) 2d Sec. of Emb.	St. Petersburg.	Pa.	Pa.	Mar. 2, 1911	2,000

To what country accredited.	Name and rank.	Residence.	Where born.	Whence appointed.	Date of commission.	Compensation.
Russia—Cont.	Frederick A. Sterling, (i) 3d Sec. of Emb.	St. Petersburg.	Minn.	Texas.	Mar. 2, 1911	\$1,200
	Lt. Com. Henry H. Hough, Nav. Att.	Paris.	Mique'n	Navy	Nov. 8, 1910	.....
	Capt. Nathan K. Averill, Mil. Att.	St. Petersburg.	Mich.	Army	Oct. 27, 1910	.....
Salvador.	William Heimke, (n) E. E. & M. P.	San Salvador.	France.	Kans.	Aug. 5, 1909	10,000
	Thos. Ewing Dabney, (c) Sec. of Leg. & C. G.	San Salvador.	La.	La.	Apr. 4, 1910	2,000
Servia.	John R. Carter, E. E. & M. P. (q)	Bucharest.	Md.	Md.	June 24, 1910	10,000
	Roland B. Harvey, (c) Sec. of Leg. & C. G.	Bucharest.	Md.	Md.	June 24, 1910	2,000
Siam.	Hamilton King, (n) E. E. & M. P.	Bangkok.	Canada.	Mich.	Apr. 27, 1903	10,000
	G. Cornell Tarler, (c) Sec. of Leg. & C. G.	Bangkok.	N. Y.	N. Y.	Aug. 4, 1909	2,000
Spain.	Leng Hui, Int.	Bangkok.	Siam.	Siam.	Aug. 27, 1901	500
	Henry Clay Ide, E. E. & M. P.	Madrid.	Vt.	Vt.	Apr. 1, 1909	12,000
Sweden.	Gustave Scholb, (c) Sec. of Leg.	Madrid.	Cal.	Minn.	Mar. 2, 1911	2,625
	Charles H. Graves, E. E. & M. P.	Stockholm.	Mass.	Minn.	Mar. 8, 1905	10,000
Switzerland.	Henry Coleman May, (c) Sec. of Leg.	Stockholm.	Cal.	D. C.	Aug. 4, 1909	2,000
	1st Lt. William M. Colvin, Mil. Att.	Stockholm.	Mo.	Army	Mar. 17, 1910	.....
Turkey.	Laurita S. Swenson, E. E. & M. P.	Berne.	Minn.	Minn.	Dec. 21, 1909	10,000
	James G. Bailey, Sec. of Leg.	Berne.	Ky.	Ky.	Mar. 2, 1911	2,000
Turkey.	Amb. E. & P.	Constantinople.				17,500
	Hoffman Phillip, Sec. of Amb.	Constantinople.	D. C.	N. Y.	June 24, 1910	3,000
	John H. Gregory, jr., (c) 2d Sec. of Emb.	Constantinople.	Fla.	La.	Aug. 4, 1909	2,000
	William Walker Smith, (i) 3d Sec. of Emb.	Constantinople.	Ky.	Ohio.	Mar. 31, 1910	1,200
	A. A. Gargiulo, Int.	Constantinople.	Turkey	Turkey	July 1, 1873	3,000
	Samuel Edelman, Stud. Int.	Constantinople.	Pa.	Pa.	June 2, 1909	1,000
	Ralph F. Chesbrough, Stud. Int.	Constantinople.	R. I.	Wis.	Apr. 1, 1910	1,000
	Ralph H. Bader, Stud. Int.	Constantinople.	Va.	Va.	Apr. 1, 1910	1,000
	Leland B. Morris, Stud. Int.	Constantinople.	Tex.	Pa.	Apr. 1, 1910	1,000
	Frank B. Rairden (a)	Constantinople.	Java.	N. Y.	Mar. 10, 1911	1,000
	George W. Young, Stud. Int.	Constantinople.	Iowa.	Md.	Mar. 10, 1911	1,000
	Donald Nicholson, (n) Stud. Int.	Constantinople.	Scot'l'd.	Mass.	Mar. 10, 1911	1,000
	Peter Augustus Jay, Agt. & C. G.	Cairo.	R. I.	R. I.	Dec. 21, 1909	6,500
	Edwin V. Morgan, E. E. & M. P. (p)	Montevideo.	N. Y.	N. Y.	Dec. 21, 1909	10,000
Uruguay.	A. Campbell Turner (c), Sec. of Leg.	Montevideo.	Mo.	Mo.	Mar. 2, 1911	2,000
	1st Lt. John S. Hammond, Mil. Att.	Montevideo.	N. Y.	Army	Nov. 3, 1910	.....
Venezuela.	John W. Garrett, E. E. & M. P.	Caracas.	Md.	Md.	Dec. 15, 1910	10,000
	Jefferson Caffery, (i) Sec. of Leg.	Caracas.	La.	La.	Mar. 2, 1911	2,000

LIST OF CONSULAR OFFICERS OF THE UNITED STATES **CORRECTED TO MARCH 20, 1911.**

CONSULS-GENERAL AT LARGE.

Name.	Where born.	Whence appointed.	Date of commission.	Salary.
George H. Murphy For North America, including Mexico, and the Bermudas.	N. C.....	N. C.....	May 23, 1906	\$5,000
Fleming D. Cheshire For eastern Asia, including the Straits Settlements, Australia, Oceanica, and the islands of the Pacific.	N. Y.....	N. Y.....	May 24, 1906	5,000
Charles C. Eberhardt For South America, Central America, the West Indies, and Curacao.	Kans.....	Kans.....	Jan. 12, 1910	5,000
Alfred L. M. Gottschalk (b) For European Russia, the Balkan States, Greece, Asia Minor, Persia, India (as far as the western frontier of the Straits Settlements), and Africa.	N. Y.....	N. Y.....	Mar. 16, 1908	5,000
Heaton W. Harris (b) For Europe, excepting European Russia, the Balkan States, and Greece.	Ohio.....	Ohio.....	Jan. 25, 1909	5,000

ABYSSINIA—ARGENTINE REPUBLIC.

Place.	Name and title.	Where born.	Whence appointed.	Date of commission.	Salary.	Fees, year ending June 30, 1910.
ABYSSINIA.						
Adis Ababa	(j) C. G.				\$3,500	
Do.....	Guy R. Love..... V. & D. C. G.	Ohio.....	Ohio.....	Dec. 21, 1908		
ARGENTINE REPUBLIC.						
Buenos Aires	Richard M. Bartleman..... C. G.	Mass.....	Mass.....	Jan. 11, 1909	4,500	
Do.....	Charles Lyon Chandler, (g) V. & D. C. G.	Mass.....	Mass.....	July 24, 1909		
Do.....	Eli Taylor..... D. C. G.	N. Y.....	N. Y.....	Oct. 4, 1910		
Do.....	Charles Lyon Chandler (g)..... C. A.	Mass.....	Mass.....	Aug. 1, 1908	1,000	
Rosario	Henry P. Coffin (d)..... C.	Pa.....	Pa.....	Dec. 16, 1909	2,500	
Do.....	Thomas B. Van Horne, V. & D. C.	Ohio.....	Ohio.....	Oct. 15, 1910		
Santa Fe	George C. Norman..... Agt.	Argen.....	Argen.....	Dec. 24, 1910		

AUSTRIA-HUNGARY—BRAZIL.

Place.	Name and title.	Where born.	Whence appointed.	Date of commission.	Salary.	Fees, year ending June 30, 1906.
AUSTRIA-HUNGARY.						
Budapest, Hungary.	Paul Nash.	C. G. N. Y.	N. Y.	June 1, 1908	\$3,500	
Do.	Frank E. Mallett.	V. & D. C. G. Mass.	Me.	Aug. 10, 1906		
Do.	Hugh Kemeny.	D. C. G. Hung.	Hung.	July 25, 1910		
Carlsbad, Austria.	Will L. Lowrie (c).	C. Mich.	Ill.	May 31, 1909	3,000	
Do.	Robert C. Boesel.	V. & D. C. Ohio.	Ohio.	Oct. 11, 1910		
Fiume, Hungary.	Clarence Rice Slocum.	C. N. Y.	N. Y.	June 10, 1908	3,500	
Do.	Attilio J. Clementi.	V. & D. C. Hung.	Hung.	Sept. 2, 1909		
Prague, Austria.	Joseph I. Brittain (b).	C. Pa.	Ohio.	Mar. 39, 1907	3,500	
Do.	Arnold Weissberger (n).	V. & D. C. Austria.	N. Y.	Jan. 17, 1903		
Reichenberg, Austria.	William J. Pike (b).	C. Pa.	Pa.	June 24, 1910	4,000	
Do.	Joseph P. Burg.	V. & D. C. Pa.	N. Y.	Jan. 12, 1911		
Trieste, Austria.	George M. Hotschick (nc).	C. Ger.	Wis.	Feb. 2, 1906	3,000	
Do.	Orestes De Martini.	V. C. N. Y.	N. Y.	May 23, 1907		
Do.	Vincent Bures.	D. C. Austria.	Austria.	May 23, 1907		
Vienna, Austria.	Charles Denby (e).	C. G. Ind.	Ind.	May 17, 1909	6,000	
Do.	Robt. W. Heingartner, V. & D. C. G.	Ohio.	Ohio.	Feb. 27, 1907		
BELGIUM.						
Antwerp.	Henry W. Diederich.	C. G. Pa.	D. C.	June 22, 1906	5,500	
Do.	Harry Tuck Sherman, V. & D. C. G.	Me.	Me.	May 10, 1907		
Brussels.	Ethelbert Watts (b).	C. G. Pa.	Pa.	Apr. 25, 1907	5,500	
Do.	Gregory Phelan.	V. & D. C. G. Cal.	Cal.	June 21, 1905		
Do.	Maurice Gerbeault.	D. C. G. France.	Belgium	Sept. 15, 1909		
Ghent.	William P. Atwell.	C. Ohio.	D. C.	June 22, 1906	3,000	
Do.	Julius A. Van Hee.	V. & D. C. Ind.	Iowa.	Feb. 1, 1900		
Liege.	Henry Abert Johnson.	C. D. C.	D. C.	Mar. 30, 1907	3,000	
Do.	Alexander P. Cruger.	V. & D. C. Tex.	N. Y.	Sept. 23, 1907		
BRAZIL.						
Bahia.	Southard P. Warner.	C. D. C.	Md.	Aug. 27, 1909	4,000	
Do.	Omar E. Mueller.	V. & D. C. Ohio.	Ohio.	Sept. 14, 1909		
Para.	George H. Pickerell (b).	C. Ohio.	Ohio.	May 29, 1906	4,000	
Do.	Julius Weinberger (n).	V. & D. C. Hun.	N. Y.	Dec. 18, 1908		
Do.	William R. Cox.	D. C. England	Brazil.	May 5, 1906		
Manaos.	John H. Hamilton.	Agt. Cal.	N. Y.	Oct. 2, 1905		\$1,355.00
Maranhao.	Joaquim M. A. dos Santos.	Agt. Brazil.	Brazil.	Oct. 17, 1908		191.50
Pernambuco.	P. Merrill Griffith (b).	C. Ohio.	Ohio.	Jan. 10, 1910	4,000	
Do.	Enrique Bachilleres.	V. & D. C. Argen.	Brazil.	May 24, 1902		
Ceara.	Antonio E. da Frota.	Agt. Brazil.	Brazil.	June 17, 1897		285.50
Maceio.	George Simpson.	Agt. Scotland	Brazil.	Feb. 21, 1908		224.00
Natal.	Henry J. Green.	Agt. N. Y.	N. Y.	Apr. 4, 1904		52.50
Rio de Janeiro.	Julius G. Lay.	C. G. D. C.	D. C.	May 2, 1910	8,000	
Do.	Joseph J. Slechta.	V. & D. C. G. Wis.	S. Dak.	July 31, 1908		
Do.	Ross J. Hazeltine (g).	D. C. G. Ind.	Ind.	Mar. 16, 1911		
Do.	Frank G. Lewis.	D. C. G. Mass.	R. I.	Feb. 24, 1911		
Do.	Ross J. Hazeltine (g).	C. A. Ind.	Ind.	Mar. 3, 1909	1,000	
Victoria.	Jean Zinzen.	Agt. Belgium	Brazil.	Mar. 29, 1890		877.00
Santos.	Jay White.	C. Mich.	Mich.	Aug. 27, 1909	4,000	
Do.	William H. Lawrence.	V. C. Ill.	Ill.	Mar. 11, 1901		
Do.	James W. Reeves.	V. & D. C. Pa.	Pa.	Jan. 21, 1910		
Rio Grande do Sul.	Jorge Vereker.	Agt. Brazil.	Brazil.	Aug. 28, 1897		161.50
Sao Paulo.	William E. Lee.	Agt. P. R.	Brazil.	June 18, 1908		100.46

LIST OF CONSULAR OFFICERS

135

CHILE-CHINA.

Place.	Name and title.	Where born.	Whence appointed.	Date of commission.	Salary.	Fees, year ending June 30, 1906.
CHILE.						
Iquique.....	Rea Hanna (d).....	C. Ill.....	Cal.....	Aug. 15, 1907	\$3,000	
Do.....	Edward E. Muecke.....	V. & D. C. Cal.....	Oreg.....	Mar. 13, 1909		
Antofagasta.....	David Blair.....	Agt. England	Chile.....	Nov. 18, 1910		\$846.50
Arica.....	Tomas Bradley.....	Agt. Conn.....	Chile.....	June 30, 1906		99.50
Punta Arenas.....	John E. Rowen.....	C. Iowa.....	Chile.....	June 10, 1908	3,000	
Do.....	Harold Edward Stubbs, V. & D. C.	C. Ind.....	Chile.....	Feb. 24, 1911		
Valparaiso.....	Alfred A. Winslow (b).....	C. Ky.....	Ind.....	June 22, 1906	4,500	
Do.....	Charles F. Baker.....	V. & D. C. Cal.....	Okla.....	Nov. 21, 1908		
Caldera.....	John Thomas Morong.....	Agt. Scotland	Chile.....	July 27, 1908		35.00
Coquimbo.....	Andrew Kerr.....	Agt. R. I.....	Chile.....	Sept. 26, 1898		260.00
Talcahuano.....	Joseph O. Smith.....	Agt. R. I.....	Chile.....	Sept. 27, 1895		195.00
CHINA.						
Amoy.....	Julean H. Arnold.....	C. Cal.....	Cal.....	May 1, 1908	4,500	
Do.....	Charles F. Brissel.....	V. & D. C. N. Y.....	N. J.....	Apr. 29, 1910		
Do.....	Charles F. Brissel.....	Mar. N. Y.....	N. J.....	Apr. 29, 1910	1,000	
Antung.....	E. Carleton Baker (d).....	C. Cal.....	Cal.....	Nov. 10, 1909	2,500	
Canton.....	Leo Allen Bergholz.....	C. G. Vt.....	N. Y.....	May 25, 1906	5,500	
Do.....	Hamilton Butler (g), V. & D. C. G.	Me.....	N. Y.....	Dec. 30, 1910		
Do.....	Horace J. Dickinson.....	Mar. Ark.....	Ark.....	July 6, 1909	1,000	
Do.....	Hamilton Butler (g).....	Int. Me.....	N. Y.....	Dec. 30, 1910	1,500	
Chefoo.....	John Fowler.....	C. N. Y.....	Mass.....	June 10, 1908	4,500	
Do.....	John I. Viney (n).....	V. & D. C. England	Va.....	June 21, 1910		
Do.....	William H. Tenney.....	Mar. N. Y.....	Cal.....	Nov. 18, 1909	1,000	
Tsinanfu.....	.....	Agt. Minn.....	Minn.....	Jan. 10, 1910	3,500	
Chungking.....	Albert W. Pontius (g).....	C. Minn.....	Minn.....	Jan. 10, 1910	3,500	
Do.....	.....	V. & D. C. Pa.....	Mass.....	Apr. 5, 1897	4,500	
Foochow.....	Samuel L. Gracey.....	C. Pa.....	Mass.....	Apr. 5, 1897	4,500	
Do.....	Thomas P. Thompson, V. & D. C.	.....	N. Y.....	Jan. 21, 1911		
Do.....	Thomas P. Thompson.....	Mar. N. Y.....	N. Y.....	Jan. 21, 1911	1,000	
Hankow.....	Robert Brent Mosher.....	C. G. D. C.....	D. C.....	Jan. 11, 1910	4,500	
Do.....	Nelson T. Johnson (g), V. & D. C. G.	D. C. Okla.....	Okla.....	July 30, 1910		
Do.....	Enrique Hermida.....	Mar. U. S.....	U. S.....	Jan. 4, 1911	750	
Do.....	Nelson T. Johnson (g).....	Int. D. C.....	Okla.....	July 30, 1910	1,500	
Harbin.....	Roger S. Greene.....	C. Mass.....	Mass.....	Jan. 21, 1909	4,000	
Mukden.....	Fred D. Fisher.....	C. G. Oreg.....	Oreg.....	Aug. 27, 1909	4,500	
Do.....	Hubert G. Baugh (ng), V. & D. C. G.	India.....	Cal.....	Dec. 16, 1910		
Do.....	M. G. Faulkner.....	Mar. Mo.....	Mo.....	Mar. 27, 1908	1,000	
Do.....	.....	Int. Mass.....	Mass.....	Apr. 15, 1910	4,000	
Nanking.....	Wilbur T. Gracey.....	C. Mass.....	Mass.....	Apr. 15, 1910	4,000	
Do.....	Alvin W. Gilbert.....	V. & D. C. Ia.....	Nebr.....	July 7, 1910		
Newchwang.....	William P. Kent.....	C. Va.....	Va.....	May 2, 1910	4,500	
Do.....	Clarence E. Sargent (a), V. & D. C.	Japan.....	Cal.....	Oct. 17, 1910		
Do.....	Clarence E. Sargent (a).....	Mar. Japan.....	Cal.....	Apr. 29, 1909	1,000	
Do.....	.....	Int. Mass.....	Mass.....	Apr. 15, 1910	4,000	

CHINA—CUBA.

Place.	Name and title.	Where born.	Whence appointed.	Date of commission.	Salary.	Fees, year ending June 30, 1906.
Shanghai.	Amos P. Wilder C. G.	Me.	Wis.	May 17, 1909	\$8,000	
Do.	W. Roderick Dorsey, V. & D. C. G.	Md.	Md.	June 25, 1908		
Do.	J. Paul Jameson (g). V. & D. C. G.	D. C.	Pa.	Apr. 25, 1910		
Do.	Frank W. Hadley (g) . . . V. C. G.	Kans.	Cal.	Apr. 9, 1909		
Do.	Thaddeus C. White D. C. G.	N. Y.	N. Y.	Apr. 22, 1909		
Do.	John K. Davis (a) D. C. G.	China.	Ohio.	Apr. 14, 1910		
Do.	Esson M. Gale (g) D. C. G.	Mich.	Mich.	Feb. 10, 1911		
Do.	Thaddeus C. White Mar.	N. Y.	N. Y.	July 30, 1908	1,000	
Do.	Frank W. Hadley (g) Int.	Kans.	Cal.	Apr. 9, 1909	2,000	
Do.	J. Paul Jameson (g) Int.	D. C.	Pa.	Nov. 1, 1909	1,650	
Do.	Esson M. Gale (g) Int.	Mich.	Mich.	Mar. 1, 1911	1,500	
Swatow.	Charles L. L. Williams (g) . . C.	Ohio.	Ohio.	June 24, 1910	2,500	
Tientsin.	Samuel S. Knabenshue . . . C. G.	Ohio.	Ohio.	Aug. 27, 1909	5,500	
Do.	Myrl S. Myers (g) . . . V. & D. C. G.	Pa.	Pa.	Dec. 1, 1910		
Do.	Charles Henry Williams, D. C. G.	China.	N. Y.	Aug. 24, 1910		
Do.	Charles Henry Williams . . . Mar.	China.	N. Y.	Dec. 21, 1908	1,000	
Do.	Myrl S. Myers (g) Int.	Pa.	Pa.	Dec. 1, 1910	1,500	
COLOMBIA.						
Barranquilla.		C.			3,500	
Do.	Albro L. Burnell V. & D. C.	Me.	Me.	Dec. 18, 1907		
Medellin.	Silas H. Wright Agt.	N. Y.	Mich.	Apr. 16, 1908		\$30.00
Santa Marta.	William A. Trout Agt.	Ill.	Ind.	Aug. 10, 1900		618.00
Bogota.		C. G.			3,500	
Do.	Charles H. Small . . . V. & D. C. G.	Mo.	Mo.	Aug. 3, 1910		
Bucaramanga.	Gustave Volkman Agt.	Ger.	Colom.	Aug. 22, 1895		38.00
Cali.	Edward H. Mason Agt.	Ill.	Ill.	Nov. 18, 1910		28.00
Cucula.		Agt.				
Honda.	John Owen Agt.	Wales.	Colom.	July 28, 1903		12.00
Cartagena.	Charles L. Latham (d) . . . C.	N. C.	N. C.	Feb. 17, 1909	2,000	
Do.	William B. MacMaster, (a) V. & D. C.	Colom.	N. Y.	July 18, 1908		
COSTA RICA.						
Port Limon.	Chester Donaldson (b) . . . C.	N. Y.	N. Y.	Nov. 25, 1905	2,500	
Do.	Henry O. Easton . . . V. & D. C.	Pa.	Pa.	Sept. 30, 1905		
San Jose.	Samuel T. Lee (nd) . . . C.	England	Mich.	May 31, 1909	3,000	
Do.	Edgar J. Hitchcock . . . V. & D. C.	Ill.	Cal.	Oct. 8, 1909		
Punta Arenas.	Leon A. Marques Agt.	Trinidad	C. R.	Apr. 7, 1904		651.50
CUBA.						
Cienfuegos.	Max J. Baehr (nb) C.	Ger.	Nebr.	June 6, 1902	4,500	
Do.	Buenaventura Carbo, V. & D. C.	Cuba.	N. Y.	Apr. 2, 1907		
Caibarien.	P. B. Anderson (n) . . . Agt.	Sweden.	Pa.	June 9, 1903		753.00
Nuevitas.	Dean R. Wood Agt.	N. Y.	N. Y.	June 25, 1908		790.50
Sagua la Grande.	John F. Jova (n) Agt.	Cuba.	N. Y.	May 9, 1903		760.00

LIST OF CONSULAR OFFICERS

137

CUBA—ECUADOR

Place.	Name and title.	Where born.	Whence appointed	Date of commission.	Salary.	Fees, year ending June 30, 1906.
Habana	James Linn Rodgers..... C. G.	Ohio.....	Ohio.....	Apr. 15, 1907	\$8,000	.....
Do.....	Joseph A. Springer, V. & D. C. G.	Me.....	Me.....	June 23, 1902	.....	.....
Do.....	Henry P. Starrett..... D. C. G.	Mass.....	Me.....	Oct. 3, 1907	.....	.....
Cardenas.....	Pedro M. Mederos (n)..... Agt.	Cuba.....	Conn.....	Sept. 3, 1907	.....	\$1,230.00
Malanzas.....	Alfred Heydrich (n)..... Agt.	Cuba.....	N. Y.....	July 22, 1905	.....	1,217.50
Nueva Gerona, Isle of Pines..	Vervie P. Sutherland..... Agt.	Mich.....	Minn.....	July 6, 1910	.....	.....
Santiago de Cuba	Ross E. Holaday..... C.	Ohio.....	Ohio.....	June 6, 1902	4,500	.....
Do.....	Henry M. Wolcott..... V. & D. C.	Vt.....	N. Y.....	June 9, 1906	.....	.....
Antilla.....	George Bayliss (n)..... Agt.	England	Cal.....	Jan. 29, 1907	.....	2,069.00
Baracoa.....	Arthur Field Lindley..... Agt.	N. Y.....	N. Y.....	Dec. 3, 1904	.....	453.50
Manzanillo.....	Francis B. Bertot (n)..... Agt.	Cuba.....	N. Y.....	Mar. 16, 1905	.....	822.50
DENMARK AND DOMINIONS.						
Copenhagen.....	..... C. G.	.....	.....	.....	3,000	.....
Do.....	Victor Juhler..... V. & D. C. G.	Ohio.....	Ohio.....	Dec. 3, 1909	.....	.....
Do.....	Axel Permin..... D. C. G.	Den.....	Den.....	Dec. 3, 1909	.....	.....
St. Thomas, West Indies	Christopher H. Payne (b)..... C.	Va.....	W. Va.....	May 1, 1903	3,000	.....
Do.....	Julius N. Lorentzen..... V. & D. C.	W. I.....	W. I.....	May 4, 1909	.....	.....
Christiansted, St. Croix Island.	Andrew J. Blackwood..... Agt.	Me.....	W. I.....	Jan. 31, 1893	.....	41.00
Fredericksted, St. Croix Island.	Robert L. Merwin..... Agt.	N. Y.....	Conn.....	Apr. 12, 1901	.....	201.50
DOMINICAN REPUBLIC.						
Puerto Plata	Philip E. Holland (d)..... C.	Ky.....	Tenn.....	Mar. 7, 1910	2,000	.....
Do.....	Jose Maria Esteve..... V. & D. C.	.....	D. R.....	Dec. 21, 1909	.....	.....
Monte Christi.....	Isaac T. Petit..... Agt.	St. Tho.....	D. R.....	May 27, 1895	.....	200.25
Samana.....	Federico Lample..... Agt.	Cuba.....	D. R.....	Oct. 26, 1904	.....	179.00
Santo Domingo	William W. Russell..... (j) C. G.	D. C.....	D. C.....	June 24, 1910	.....	.....
Do.....	John Brewer..... V. & D. C. G.	Md.....	Md.....	Sept. 7, 1910	.....	.....
Asua.....	John Haray..... Agt.	U. S.....	Mass.....	Aug. 11, 1885	.....	693.00
Macoris.....	Rudolf Schumacher..... Agt.	Ger.....	D. R.....	May 2, 1910	.....	1,433.50
Sanchez.....	J. Enrique Leroux..... Agt.	D. R.....	D. R.....	Aug. 29, 1908	.....	1,009.00
ECUADOR.						
Guayaquil	Herman R. Dietrich..... C. G.	Mo.....	Mo.....	Apr. 2, 1903	4,500	.....
Do.....	Robert B. Jones (n)..... V. C. G.	Canada.....	N. J.....	June 2, 1902	.....	.....
Bahia de Caraquez.....	Alberto Santos..... Agt.	Ecuador	Ecuador	Sept. 10, 1900	.....	612.09
Esmeraldas.....	George D. Hedian..... Agt.	Pa.....	N. Y.....	Feb. 19, 1908	.....	457.54
Manta.....	Max Voelcker..... Agt.	France.....	Ecuador	Sept. 19, 1907	.....	502.38

FRANCE AND DOMINIONS.

Place.	Name and title.	Where born.	Whence appointed.	Date of commission.	Salary.	Fees, year ending June 30, 1906.
FRANCE AND DOMINIONS						
Algiers, Algeria	Albert W. Robert (d)	C. N. Y.	Fla.	May 31, 1909	\$2,500	
Do.	Rene L. J. Boisson	V. & D. C.	France	Mar. 21, 1910		
Oran	Albert H. Elford	Agt.	England	Nov. 7, 1906		\$416.00
Bordeaux	Alfred K. Moe (b)	C. N. Y.	N. J.	Mar. 3, 1909	4,000	
Do.	John Douglas Wise	V. & D. C.	Pa.	Va.	Apr. 5, 1907	
Biarritz	Frederick E. Gilbert	Agt.	N. Y.	N. Y.	May 1, 1905	383.80
Calais	James B. Milner (b)	C. Ind.	Ind.	Mar. 1, 1898	3,000	
Do.	Wm. McKone Milner	V. & D. C.	Ind.	Ind.	Dec. 8, 1908	
Boulogne-sur-mer	William Whitman	Agt.	England	France	Oct. 21, 1903	350.50
Cognac	George H. Jackson (b)	C. Mass.	Conn.	June 10, 1908	2,500	
Do.	Elisee Jouard (n)	V. & D. C.	France	N. Y.	June 17, 1908	
Goree-Dakar, Senegal		C.			2,000	
Grenoble	Charles P. H. Nason (b)	C. Mass.	Pa.	July 5, 1901	2,000	
Do.	Thomas W. Murton	V. & D. C.	England	France	Jan. 24, 1902	
Guadeloupe, West Indies	Robert T. Crane	C. Md.	Md.	May 31, 1909	2,000	
Do.	Joseph O. Florandin	V. & D. C.	St. Bart.	Guad.	Oct. 11, 1901	
Havre	James E. Dunning (b)	C. Me.	Me.	May 31, 1909	5,000	
Do.	John Preston Beecher	V. & D. C.	N. Y.	N. Y.	Sept. 22, 1899	
Cherbourg	Auguste Laniece	Agt.	France	France	Jan. 6, 1911	656.00
St. Malo	Raymond Moulton	Agt.	N. Y.	N. Y.	July 14, 1880	162.50
Limoges	Eugene L. Belisle (nc)	C. Canada.	Mass.	Apr. 2, 1906	2,500	
Do.	Charles Roy Nasmith	V. C. N. Y.	N. Y.	Apr. 22, 1907		
Lyon	Carl Bailey Hurst (a)	C. Ger.	D. C.	Dec. 14, 1910	5,000	
Do.	Thomas Nicoll Browne	V. & D. C.	Conn.	N. Y.	Sept. 6, 1893	
Dijon	Nicolas Chapuis	Agt.	France	N. Y.	July 10, 1906	1,535.22
Marseille	Alphonse Gaulin	C. G. R. I.	R. I.	May 31, 1909	5,500	
Do.	Paul H. Cram	V. & D. C. G. Me.	Me.	Apr. 15, 1909		
Do.	Allan Macfarlane	D. C. G. England	France	Feb. 6, 1903		
Bastia, Corsica	Simon Damiani (n)	Agt.	Corsica.	U. S.	Dec. 30, 1886	100.00
Celle	Carl D. Hagelin	Agt.	Sweden.	France	Dec. 20, 1901	1,009.00
Toulon	Francis M. Mansfield	Agt.	Mass.	N. Y.	July 2, 1909	542.50
Tunis, Tunis	Auguste J. Proux	Agt.	France	Tunis.	Dec. 6, 1906	64.50
Martinique, West Indies	Thomas R. Wallace (b)	C. Pa.	Iowa.	June 24, 1910	2,500	
Do.	Jacques D. Schnegg	V. & D. C.	France	Mart.	June 12, 1903	
Nantes	Louis Goldschmidt (nb)	C. France	N. H.	Oct. 13, 1904	3,000	
Do.	Hiram D. Bennett	V. C. N. Y.	France	Dec. 23, 1885		
Angers	Richard Simon	Agt.	Ger.	France	Mar. 11, 1911	852.99
Brest	Alfred Pitel	Agt.	France	France	Apr. 25, 1910	1,166.47
Nice	William Dulany Hunter	C. D. C.	Minn.	Mar. 30, 1907	2,500	
Do.	Harry A. Lyons	V. & D. C.		June 8, 1908		
Paris	Frank H. Mason	C. G. Ohio.	Ohio.	Mar. 8, 1905	12,000	
Do.	Dean B. Mason	V. & D. C. G. Ohio.	Ohio.	July 7, 1906		
Do.	Hanson C. Cox	D. C. G. Md.	N. Y.	July 18, 1904		
Do.	Bartley F. Yost (n)	D. C. G. Switz.	Kans.	Apr. 20, 1909		
Do.	Dean B. Mason	C. A. Ohio.	Ohio.	(r) June 8, 1899	1,800	
Do.	Bartley F. Yost (n)	C. A. Switz.	Kans.	June 24, 1908	1,000	
Rheims	William Bardel (nb)	C. Ger.	N. Y.	June 10, 1908	3,500	
Do.	Walter Stanford	V. & D. C. England	France.	July 29, 1910		

FRANCE AND DOMINIONS—GERMAN EMPIRE.

Place.	Name and title.	Where born.	Whence appointed.	Date of commission.	Salary.	Fees, year ending June 30, 1906.
Roubaix	Joseph E. Haven (b)	C. Ill.	Ill.	June 10, 1908	\$2,500	
Do.	Richard Barnard Haven, V. & D. C.	Ill.	Ill.	Oct. 14, 1910		
Do.	Alfred C. Harrison	D. C.	England	Aug. 11, 1899		
Caudry	Hans Dietiker	Agt. Switz	France	June 26, 1891		\$389.00
Dunkirk	Benjamin Morel	Agt. France	France	July 25, 1883		301.00
Lille	Christopher J. King	Agt. R. I.	R. I.	Mar. 15, 1902		1,866.50
Rouen	Charles A. Holder (d)	C. N. Y.	Colo.	May 31, 1909	2,000	
Do.	Judd B. Hastings	V. & D. C.	N. Y.	May 2, 1910		
Amiens	Charles Tassencourt	Agt. France	France	Jan. 8, 1904		147.00
Dieppe	Walter P. S. Palmer-Samborne, Agt.	England	France	Dec. 13, 1907		148.00
Saigon, Cochin China		C.			2,000	
Do.	Lionel Palmer	V. & D. C.	Co. China	June 21, 1910		
Do.	Miller Joblin	V. & D. C.	Ark.	Mar. 24, 1909		
St. Etienne	William H. Hunt	C. Tenn.	N. Y.	Nov. 1, 1906	2,500	
Do.	Edmond A. Burrill	V. & D. C.	D. C.	Dec. 26, 1907		
St. Pierre, St. Pierre Island	Douglas Jenkins (d)	C. S. C.	S. C.	June 22, 1908	2,000	
Do.	George H. Frecker	V. & D. C.	St. Pierre	Feb. 16, 1909		
Tahiti, Society Islands	North Winship (d)	C. Ga.	Ga.	June 24, 1910	2,000	
Do.	Walter J. Williams	V. & D. C.	Canada	Oct. 18, 1909		
Tamatave, Madagascar	James G. Carter (c)	C. Ga.	Ga.	Nov. 1, 1906	2,500	
Do.	Oscar d'E. de Charmoy	V. C.	Mauri.	July 13, 1905		
GERMAN EMPIRE.						
Aix la Chapelle, Prussia	Pendleton King	C. N. C.	N. C.	Dec. 12, 1905	3,000	
Do.	William J. Reuters	V. & D. C.	Ger.	Sept. 9, 1901		
Apia, Samoa	Mason Mitchell (b)	C. N. Y.	N. Y.	May 1, 1908	3,500	
Do.	Norman H. Macdonald, V. & D. C.	N. Z.	Samoa	Mar. 25, 1910		
Barman, Prussia	George Eugene Eager (c)	C. Mass.	Ill.	Mar. 29, 1906	3,500	
Do.	Charles J. Wright	V. & D. C.	Ohio	Feb. 16, 1909		
Berlin, Prussia	Alexander M. Thackara	C. G. Pa.	Pa.	Mar. 13, 1905	8,000	
Do.	Frederic W. Cauldwell, V. & D. C. G.	N. Y.	D. C.	Nov. 1, 1909		
Do.	Frederick von Versen (n)	D. C. G.	Ger.	Md.	Dec. 5, 1894	
Do.	James B. Young	D. C. G.	D. C.	Pa.	Mar. 16, 1911	
Do.	Louis G. Dreyfus, jr.	D. C. G.	Cal.	Cal.	Mar. 16, 1911	
Do.	Frederic W. Cauldwell	C. A.	N. Y.	D. C.	Mar. 30, 1903	1,800
Do.	Frank Bohr	C. A.	Kans.	Kans.	June 24, 1908	1,000
Do.	James B. Young	C. A.	D. C.	Pa.	July 19, 1911	1,000
Do.	Louis G. Dreyfus, jr.	C. A.	Cal.	Cal.	Dec. 20, 1910	1,000
Sorau, Prussia	George A. Makinson	Agt. Cal.	Cal.	Dec. 23, 1909		2,249.37
Bremen	William T. Fee (b)	C. Ohio	Ohio	June 22, 1906	5,000	
Do.	Fredk. Hoyermann (n)	V. & D. C.	Ger.	Ill.	Aug. 25, 1904	
Brake, Oldenburg	Wilhelm Clemens	Agt. Ger.	Ger.	Nov. 13, 1885		844.00
Bremerhaven, Bremen	George T. Smith	Agt. Ohio	Ill.	Dec. 17, 1909		1,570.00
Breslau, Prussia	Herman L. Spahr (c)	C. Ga.	S. C.	June 30, 1906	2,500	
Do.	Richard Wackerow	V. C.	Ger.	Mar. 27, 1902		
Brunswick, Brunswick	Talbot J. Albert (b)	C. Md.	Md.	Oct. 12, 1897	2,500	
Do.	Julius Seckel	V. & D. C.	Ger.	Ger.	Sept. 8, 1893	
Chemnitz, Saxony	Thomas H. Norton (b)	C. N. Y.	Ohio	July 25, 1906	3,500	
Do.	William W. Brunswick, V. & D. C.	N. Y.	Kans.	Feb. 10, 1909		

GERMAN EMPIRE.

Place.	Name and title.	Where born.	Whence appointed.	Date of commission.	Salary.	Fees, year ending June 30, 1906.
Coburg, Saxe - Coburg - Gotha.	Frank Dillingham (b)..... C. G.	Vt.....	Cal.....	Jan. 4, 1906	\$4,500	.....
Do.....	Matthew C. Dillingham, V. & D C. G.	Minn.....	Cal.....	Sept. 12, 1906	.....	.....
Sonneberg, Saxe-Meiningen.	Frederick J. Dietzman..... Agt	Mass.....	Mass.....	Jan. 30, 1909	.....	\$4,454.00
Cologne, Prussia.	Hiram J. Dunlap..... C.	Ill.....	Ill.....	Mar. 17, 1905	3,500	.....
Do.....	Charles Lesimple..... V. & D. C.	Ger.....	Ger.....	Apr. 29, 1901	.....	.....
Do.....	Louis Vandory..... D. C.	Roum.....	Ger.....	Dec. 9, 1909	.....	.....
Dresden, Saxony.	T. St. John Gaffney (n)..... C. G.	Ireland.....	N. Y.....	Mar. 14, 1905	4,500	.....
Do.....	Alfred C. Johnson..... V. C. G.	Pa.....	Pa.....	Oct. 7, 1898	.....	.....
Do.....	Ulysses J. Bywater (a)..... D. C. G.	England.....	Mass.....	Oct. 1, 1906	.....	.....
Do.....	Paul Arras..... D. C. G.	Ger.....	Ger.....	Nov. 2, 1908	.....	.....
Erfurt, Prussia.	Ralph C. Busser (d)..... C.	Pa.....	Pa.....	May 31, 1909	2,500	.....
Do.....	Charles H. Borngraeber, V. & D C.	Ger.....	Ger.....	May 7, 1910	.....	.....
Frankfort-on-Main, Prussia.	Frank D. Hill..... C. G.	Minn.....	Minn.....	May 4, 1910	5,500	.....
Do.....	William Dawson, jr., V. & D. C. G.	Minn.....	Minn.....	Sept. 26, 1910	.....	.....
Do.....	Simon W. Hanauer (n)..... D. C. G.	Ger.....	Pa.....	Dec. 1, 1900	.....	.....
Cassel, Prussia.	Gustav C. Kothe (n)..... Agt.	Ger.....	Kans.....	Mar. 15, 1894	.....	1,090.72
Wiesbaden, Prussia.	John B. Brewer (n)..... Agt.	Ger.....	N. Y.....	Aug. 26, 1903	.....	2,299.22
Hamburg.	Robert P. Skinner (b)..... C. G.	Ohio.....	Ohio.....	June 10, 1908	8,000	.....
Do.....	E. H. L. Mummenhoff, V. & D C. G.	England.....	Ger.....	Mar. 18, 1903	.....	.....
Do.....	Andrew W. Pentland..... D. C. G.	D. C.....	Va.....	Feb. 25, 1909	.....	.....
Kiel, Prussia.	Paul H. J. Sartori..... Agt.	Ger.....	Ger.....	Jan. 3, 1899	.....	406.50
Lubeck.	Wolfgang Gaedertz..... Agt.	Ger.....	Ger.....	Mar. 23, 1903	.....	780.50
Hanover, Prussia.	Robert J. Thompson (c)..... C.	Iowa.....	Ill.....	June 29, 1906	3,000	.....
Do.....	..... V. & D. C.	.....	.....	.....	.....	.....
Kehl, Baden.	Frank S. Hannah (b)..... C.	Mo.....	Ill.....	June 24, 1910	3,000	.....
Do.....	Carl W. Schmitt..... V. & D. C.	Ger.....	Ger.....	June 2, 1908	.....	.....
Leipzig, Saxony.	Albert R. Morawetz..... C.	Md.....	Ariz.....	Jan. 12, 1910	4,000	.....
Do.....	Frederick Nachod..... V. & D. C.	Ger.....	Ger.....	Mar. 3, 1884	.....	.....
Do.....	Rudolph Fricke..... D. C.	Ger.....	Ger.....	Nov. 17, 1893	.....	.....
Gera, Reuss Schleitz.	Charles Neuer (n)..... Agt.	Ger.....	N. Y.....	Dec. 20, 1904	.....	3,343.00
Magdeburg, Prussia.	Alfred W. Donegan..... C.	Ala.....	Ala.....	June 24, 1910	2,500	.....
Do.....	Ernest L. Ives..... V. & D. C.	Va.....	Va.....	Nov. 17, 1910	.....	.....
Mannheim, Baden.	Samuel H. Shank..... C.	Ind.....	Ind.....	Mar. 30, 1907	3,500	.....
Do.....	Alfred O. Tittmann..... V. & D. C.	Mo.....	N. Mex.....	Nov. 17, 1910	.....	.....
Neustadt-an-der-Hardt, Bavaria.	Leopold Blum..... Agt.	Ger.....	Ger.....	June 30, 1893	.....	1,105.92
Munich, Bavaria.	Thomas Willing Peters..... C. G.	Pa.....	D. C.....	Mar. 30, 1907	4,500	.....
Do.....	Abraham Schlesinger, (n) V. & D C. G.	Switz.....	N. Y.....	Oct. 10, 1904	.....	.....
Do.....	Arthur V. W. Cotter..... D. C. G.	Ireland.....	Ger.....	Aug. 29, 1910	.....	.....
Nuremberg, Bavaria.	George N. Ifft (b)..... C.	Pa.....	Idaho.....	Jan. 21, 1909	4,000	.....
Do.....	Ralph W. Dox..... V. & D. C.	N. Y.....	N. Y.....	Oct. 11, 1910	.....	.....
Plauen, Saxony.	Edward D. Winslow (d)..... C.	Ill.....	Ill.....	Dec. 14, 1910	4,000	.....
Do.....	Louis D. Edwards..... V. & D. C.	N. Y.....	Ohio.....	June 23, 1910	.....	.....
Markneukirchen, Saxony.	W. Bruce Wallace..... Agt	Iowa.....	Iowa.....	June 18, 1908	.....	2,433.00

LIST OF CONSULAR OFFICERS

141

GERMAN EMPIRE—GREAT BRITAIN AND DOMINIONS.

Place.	Name and title.	Where born.	Whence appointed.	Date of commission.	Salary.	Fees, year ending June 30, 1906.
Stettin, Prussia	William C. Teichmann (c)	C. Mo.	Mo.	Feb. 20, 1909	\$2,500	
Do.	Emil Schmidt	V. & D. C. Ger.	Ger.	Sept. 1, 1909		
Danzig, Prussia	Ernst A. Claassen	Agt. Ger.	Ger.	Dec. 23, 1902		\$226.92
Königsberg, Prussia	Alexander Eckhardt (n)	Agt. Ger.	N. Y.	Mar. 13, 1899		2,664.48
Swinemünde, Prussia	Wilhelm Potenberg	Agt. Ger.	Ger.	Mar. 16, 1907		98.91
Stuttgart, Württemberg	Edward Higgins (b)	C. Mass.	Mass.	Apr. 29, 1907	4,000	
Do.	Ernest Entenmann (n)	V. & D. C. Ger.	N. Y.	Mar. 18, 1907		
Tsingtau, China	James C. McNally (n)	C. England	Pa.	Apr. 15, 1910	4,000	
Do.	Edgar Kopp (n)	V. & D. C. China	N. Y.	Sept. 20, 1909		
Do.	Edgar Kopp (n)	Int. China	N. Y.	Mar. 18, 1909	1,000	
GREAT BRITAIN AND DOMINIONS.						
Aden, Arabia	Charles K. Moser (d)	C. Va.	Va.	May 31, 1909	2,500	
Do.	George M. Gordon	V. C. Scotland	Arabia	Feb. 14, 1906		
Hodeida, Turkey	Erich Lindenmeyer	Agt. Ger.	Arabia	Mar. 16, 1907		275.00
Auckland, New Zealand	William A. Prickitt (b)	C. G. N. J.	N. J.	Nov. 6, 1905	4,500	
Do.	Leonard A. Bachelder	V. C. G. Mass.	Mass.	July 15, 1903		
Christchurch	Frank Graham	Agt. England	N. Z.	Mar. 13, 1903		448.08
Dunedin	Frederick O. Bridgeman	Agt. England	N. Z.	Oct. 30, 1900		494.54
Wellington	C. Harcourt Turner	Agt. N. Z.	N. Z.	Aug. 29, 1910		352.80
Barbados, West Indies	Chester W. Martin (b)	C. Mich.	Mich.	June 10, 1908	3,000	
Do.	James E. A. Ince	V. & D. C. Barba.	Barba.	Nov. 9, 1910		
Roseau, Dominica	Henry A. Frampton	Agt. England	Domin.	Nov. 24, 1896		346.00
St. Lucia	William Peter	Agt. S. Lucia	S. Lucia	Jan. 8, 1873		1,441.50
St. Vincent	Ernest A. Richards	Agt. St. Vin.	St. Vin.	Feb. 26, 1897		24.50
Belfast, Ireland	Hunter Sharp	C. N. C.	N. C.	Dec. 14, 1910	5,000	
Do.	Paul Knabenshue	V. C. Ohio	Ohio	June 20, 1906		
Do.	Edward Harvey	D. C. Ireland	Ireland	June 20, 1906		
Londonderry	Philip O'Hagan	Agt. Ireland	Ireland	June 8, 1908		968.15
Belize, Honduras	William L. Avery (b)	C. N. Y.	Mont.	Mar. 9, 1898	2,500	
Do.	John H. Biddle	V. & D. C. N. Y.	N. Y.	July 27, 1907		
Birmingham, England	Albert Halstead (c)	C. Ohio	D. C.	Apr. 3, 1906	4,500	
Do.	Arthur V. Blakemore	V. C. England	England	June 21, 1907		
Do.	Ernest Harker	D. C. England	England	Nov. 15, 1893		
Kidderminster	James Morton	Agt. England	England	Mar. 10, 1870		912.00
Redditch	William U. Brewer	Agt. Pa.	Pa.	Mar. 13, 1905		1,601.00
Bombay, India	Edwin S. Cunningham (b)	C. Tenn.	Tenn.	Dec. 20, 1910	4,000	
Do.	Selby S. Coleman	V. & D. C. Ind.	La.	Dec. 1, 1909		
Bradford, England	Augustus E. Ingram	C. Pa.	Cal.	June 2, 1909	3,500	
Do.	Thomas L. Renton	V. & D. C. England	England	Oct. 23, 1883		
Do.	Richard B. Nicholls	D. C. England	England	Aug. 2, 1893		
Bristol, England	Horner M. Byington	C. D. C.	Conn.	May 31, 1909	2,000	
Do.	Richard Castle	V. & D. C. England	England	Jan. 9, 1906		
Burslem, England	Edward B. Walker (c)	C. N. Y.	N. Y.	Jan. 30, 1906	3,000	
Do.		V. & D. C.				
Do.	John H. Copestake	D. C. England	England	Nov. 9, 1908		

GREAT BRITAIN AND DOMINIONS.

Place.	Name and title.	Where born.	Whence appointed.	Date of commission.	Salary.	Fees, year ending June 30, 1906.
Calcutta, India.....	William H. Michael..... C. G.	Ohio.....	Nebr.....	Nov. 16, 1905	\$6,000.....	.....
Do.....	Charles B. Perry..... V. & D. C. G.	Nebr.....	Nebr.....	Mar. 17, 1909	.....	.....
Chitagon.....	John L. Brown..... Agt.	India.....	India.....	Sept. 28, 1901	.....	\$22.50
Calgary, Alberta.....	E. Scott Hotchkiss (b)..... C.	N. Y.....	Wis.....	June 28, 1906	3,000.....	.....
Do.....	H. Edgar Anderson..... V. & D. C.	Minn.....	S. Dak.....	Sept. 12, 1906	.....	.....
Lethbridge.....	Walter R. Dobbin..... Agt.	Iowa.....	Iowa.....	Apr. 4, 1908	.....	1,887.00
Campbellton, New Brunswick.	Theodosius Botkin (b)..... C.	Ohio.....	Utah.....	Mar. 30, 1907	2,000.....	.....
Do.....	Francis F. Matheson..... V. C.	N. B.....	N. B.....	July 1, 1908	.....	.....
Paspebiac.....	Daniel Bisson..... Agt.	Canada.....	Canada.....	Apr. 17, 1889	.....	302.00
Cape Town, Cape of Good Hope.	Richard Guenther (n)..... C. G.	Ger.....	Wis.....	May 4, 1910	6,000.....	.....
Do.....	George L. Foster..... V. & D. C. G.	N. Y.....	N. Y.....	May 19, 1906	.....	.....
Cardiff, Wales.....	Lorin A. Lathrop..... C.	Ohio.....	Cal.....	Aug. 15, 1907	2,500.....	.....
Do.....	Albert S. Phillips..... V. & D. C.	N. Y.....	Ill.....	Dec. 28, 1905	.....	.....
Charlottetown, Prince Edward Island.	Frank Deedmeyer (dn)..... C.	Ger.....	Ala.....	May 31, 1909	2,000.....	.....
Do.....	Arthur George Peake, V. & D. C.	Canada.....	P. E. I.....	Aug. 30, 1907	.....	.....
Summerside.....	Neil Sinclair..... Agt.	P. E. I.....	P. E. I.....	Oct. 8, 1907	.....	340.00
Colombo, Ceylon.....	William C. Magelssen..... C.	Minn.....	Minn.....	Feb. 20, 1909	3,000.....	.....
Do.....	..... V. & D. C.	.....	.....	.....	.....	.....
Cork (Queenstown), Ireland.	George E. Chamberlin (d)..... C.	Conn.....	N. Y.....	June 24, 1910	2,500.....	.....
Do.....	John S. Armstrong, jr., V. & D. C.	Ariz.....	N. C.....	Jan. 25, 1911	.....	.....
Limerick.....	Edmund Ludlow..... Agt.	England.....	Ireland.....	Nov. 7, 1896	.....	462.50
Cornwall, Ontario.....	Henry C. A. Damm (d)..... C.	Wis.....	Tenn.....	May 31, 1909	2,000.....	.....
Do.....	William Gibbens..... V. & D. C.	England.....	Canada.....	Oct. 11, 1909	.....	.....
Dawson, Yukon Territory.	Geo. C. Cole (b)..... C.	W. Va.....	W. Va.....	June 22, 1906	5,000.....	.....
Do.....	..... V. & D. C.	.....	.....	.....	.....	.....
Dublin, Ireland.....	Edward L. Adams..... C.	N. Y.....	N. Y.....	Mar. 1, 1909	4,000.....	.....
Do.....	Arthur Donn Piatt..... V. & D. C.	D. C.....	Ohio.....	May 6, 1893	.....	.....
Galway.....	Robert A. Tennant..... Agt.	Scotland.....	Ireland.....	May 4, 1901	.....	505.94
Dundee, Scotland.....	E. Haldeman Dennison (b)..... C.	Ohio.....	Ohio.....	Dec. 19, 1910	4,000.....	.....
Do.....	Allan Baxter..... V. & D. C.	Scotland.....	Scotland.....	June 23, 1894	.....	.....
Aberdeen.....	William P. Quann (n)..... Agt.	Ireland.....	Minn.....	Aug. 18, 1906	.....	3,212.14
Dunfermline, Scotland.....	Howard D. Van Sant (b)..... C.	N. J.....	N. J.....	Jan. 11, 1910	3,000.....	.....
Do.....	Charles Drysdale..... V. C.	Scotland.....	Scotland.....	May 29, 1899	.....	.....
Durban, Natal.....	Nathaniel B. Stewart (d)..... C.	Ga.....	Ga.....	Dec. 19, 1910	3,500.....	.....
Do.....	Hugh S. Hood..... V. & D. C.	Ohio.....	Tenn.....	Dec. 11, 1909	.....	.....
Edinburgh, Scotland.....	Rufus Fleming (b)..... C.	Ind.....	Ohio.....	Oct. 5, 1897	3,500.....	.....
Do.....	Frederick P. Piatt..... V. & D. C.	Ohio.....	Ohio.....	July 5, 1894	.....	.....
Fernie, British Columbia.....	Frank C. Denison (b)..... C.	Vt.....	Vt.....	June 10, 1908	2,000.....	.....
Do.....	John R. Pollock..... V. C.	Cal.....	Oreg.....	Aug. 5, 1908	.....	.....
Fort Erie, Ontario.....	Horace J. Harvey (b)..... C.	N. Y.....	N. Y.....	July 1, 1902	2,000.....	.....
Do.....	James B. Curtiss..... V. & D. C.	N. Y.....	N. Y.....	July 24, 1909	.....	.....
Georgetown, Guiana.....	..... C.	.....	.....	.....	3,500.....	.....
Do.....	Robert F. Crane..... V. & D. C.	N. J.....	N. J.....	July 9, 1909	.....	.....
Cayenne, French Guiana.....	Louis Henry Rene Didier..... Agt.	Mart.....	Guiana.....	Nov. 9, 1910	.....	26.50
Paramaribo, Dutch Guiana.	Henry L. Hirschfeld..... Agt.	Guiana.....	Guiana.....	Aug. 11, 1909	.....	963.00

LIST OF CONSULAR OFFICERS

148

GREAT BRITAIN AND DOMINIONS.

Place.	Name and title.	Where born.	Whence appointed.	Date of commission.	Salary.	Fees, year ending June 30, 1906.
Gibraltar, Spain.....	Richard L. Sprague (a).....	C. Gibraltal...	Mass.....	July 18, 1901	\$2,500	.....
Do.....	Arthur D. Hayden.....	V. & D. C. Mass.....	D. C.....	May 17, 1907	.....	.....
Glasgow, Scotland.....	John N. McCunn (nb).....	C. Scotland	Wis.....	Jan. 14, 1908	4,500	.....
Do.....	.....	V. & D. C.	.....	.....	.....	.....
Do.....	Alfred Middleton.....	D. C. Scotland	Scotland	May 25, 1909	.....	.....
Greenock.....	James A. Love.....	Agt. Scotland	Scotland	Mar. 27, 1891	.....	\$165.50
Troon.....	Peter H. Waddell.....	Agt. Scotland	Scotland	Mar. 5, 1896	.....	1,092.00
Halifax, Nova Scotia.....	James W. Ragsdale.....	C. G. Ind.	Cal.....	Aug. 27, 1909	4,500	.....
Do.....	Albert G. Ebert.....	V. & D. C. G. Pa.....	Pa.....	July 6, 1910	.....	.....
Do.....	Harry S. Hill.....	D. C. G. N. S.....	N. S.....	Sept. 20, 1910	.....	.....
Bridgewater.....	William H. Owen.....	Agt. N. S.....	N. S.....	Apr. 18, 1872	.....	503.00
Liverpool.....	Jason M. Mack.....	Agt. N. S.....	N. S.....	Dec. 28, 1895	.....	258.50
Lunenburg.....	Daniel J. Rudolf.....	Agt. N. S.....	N. S.....	June 13, 1907	.....	495.50
Pictou.....	John R. Davies.....	Agt. N. S.....	N. S.....	July 27, 1897	.....	304.00
Hamilton, Bermuda.....	W. Maxwell Greene (b).....	C. R. I.....	R. I.....	Jan. 14, 1898	2,500	.....
Do.....	William H. Allen.....	V. & D. C. N. Y.....	N. Y.....	May 20, 1909	.....	.....
St. George.....	William H. Potter.....	Agt. Pa.....	Pa.....	Dec. 21, 1909	.....	150.50
Hamilton, Ontario.....	James M. Shepard (b).....	C. Mass.....	Mich.....	July 17, 1897	3,000	.....
Do.....	Richard Butler (n).....	V. & D. C. Canada.	Ill.....	Feb. 16, 1898	.....	.....
Brantford.....	Martin W. McEwen.....	Agt. Canada.	Canada.	Sept. 6, 1904	.....	1,449.50
Galt.....	James Ryerson.....	Agt. Canada.	Canada.	Feb. 23, 1899	.....	1,378.00
Hobart, Tasmania.....	Henry D. Baker (d).....	C. Mass.....	Ill.....	Aug. 15, 1907	2,000	.....
Do.....	Charles Ernest Webster.....	V. C. Tasm.....	Tasm.....	July 13, 1899	.....	.....
Hongkong, China.....	George E. Anderson.....	C. G. Ill.....	Ill.....	May 4, 1910	8,000	.....
Do.....	Algar E. Carleton.....	V. & D. C. G. Vt.....	Vt.....	Apr. 6, 1910	.....	.....
Do.....	James Chue.....	Int. Austral.	China.....	May 9, 1906	1,000	.....
Huddersfield, England.....	Frederick I. Bright (c).....	C. Ohio.....	Ohio.....	Mar. 26, 1906	3,000	.....
Do.....	David J. Bailey.....	V. & D. C. England	England	July 26, 1893	.....	.....
Hull, England.....	Walter C. Hamm (b).....	C. N. Y.....	Pa.....	July 18, 1903	2,500	.....
Do.....	James Fisher.....	V. & D. C. England	England	Mar. 23, 1909	.....	.....
Johannesburg, Transvaal.....	Edwin N. Gunsaulus (b).....	C. Ohio.....	Ohio.....	June 10, 1908	5,000	.....
Do.....	Chas. B. Henderson.....	V. & D. C. Ill.....	Ill.....	Mar. 1, 1911	.....	.....
Bloemfontein, Orange River Colony.....	Arthur E. Fichardt.....	Agt. So. Af.....	So. Af.....	Feb. 26, 1907	.....	(h)4.00
Karachi, India.....	Stuart K. Lupton (d).....	C. Tenn.....	Tenn.....	Aug. 27, 1909	3,000	.....
Do.....	Edward L. Rogers.....	V. & D. C. England	India.....	June 29, 1908	.....	.....
Kingston, Jamaica.....	Nicholas R. Snyder (b).....	C. Pa.....	Pa.....	June 7, 1910	4,500	.....
Do.....	William H. Orrett.....	V. & D. C. N. Y.....	Jamaica	Nov. 22, 1902	.....	.....
Montego Bay.....	Harry M. Doubleday.....	Agt. N. Y.....	N. Y.....	June 3, 1907	.....	1,224.00
Port Morant.....	Cecil C. Langlois.....	Agt. Jamaica.	Jamaica.	Mar. 12, 1901	.....	1,311.00
St. Ann's Bay.....	Anthony B. D. Rerrie.....	Agt. Jamaica.	Jamaica.	Oct. 22, 1902	.....	1,171.00
Kingston, Ontario.....	Felix S. S. Johnson.....	C. D. C.....	N. J.....	Jan. 10, 1910	2,500	.....
Do.....	Howard S. Folger.....	V. & D. C. Canada.	Canada.	Sept. 5, 1908	.....	.....
Trenton.....	Stephen J. Young.....	Agt. Canada.	Canada.	June 2, 1891	.....	606.00
Leeds, England.....	Benjamin F. Chase (d).....	C. Pa.....	Pa.....	May 31, 1909	2,500	.....
Do.....	Charles E. Taylor.....	V. & D. C. England	England	June 10, 1909	.....	.....
Liverpool, England.....	Horace Lee Washington.....	C. D. C.....	D. C.....	May 31, 1909	8,000	.....
Do.....	George B. Stephenson.....	V. & D. C. Ind.....	Ind.....	Feb. 9, 1909	.....	.....
Do.....	William Pierce.....	D. C. England	England	Apr. 28, 1894	.....	.....

GREAT BRITAIN AND DOMINIONS.

Place.	Name and title.	Where born.	Whence appointed.	Date of commission.	Salary.	Fees, year ending June 30, 1906.
Liverpool, England	Hugh Watson	D. C.	England	England	Oct. 14, 1909	
Holyhead	Richard D. Roberts	Agt.	Wales	Wales	Aug. 11, 1909	\$149.72
St. Helens	Ernest L. Phillips	Agt.	Pa.	Ill.	Apr. 9, 1908	1,698.88
London, England	John L. Griffiths	C. G.	N. Y.	Ind.	May 31, 1909	\$12,000
Do.	Richard Westacott, V. & D. C. G.	Mass.	Mass.	Mass.	May 24, 1897	
Do.	Carl R. Loop	D. C. G.	Ind.	Ind.	Aug. 24, 1909	
Do.	Richard Westacott	C. A.	Mass.	Mass.	rNov. 21, 1898	1,800
Do.	Ripley Wilson	C. A.	Ill.	Ill.	Jan. 3, 1910	1,000
Dover	Frederick Crundali	Agt.	England	England	Dec. 9, 1908	177.50
Madras, India	Jose de Olivares (c)	C.	Cal.	Mo.	Jan. 27, 1911	3,000
Do.	Austin D. Jackson	V. C.	England	India	Jan. 9, 1909	
Malta, Maltese Islands	James Oliver Laing (d)	C.	Kans.	Mo.	Aug. 2, 1910	2,500
Do.	James A. Turnbull	V. & D. C.	Malta	Malta	Aug. 8, 1906	
Manchester, England	Church Howe (b)	C.	Mass.	Nebr.	Aug. 15, 1907	6,000
Do.	John W. Thomas	V. & D. C.	England	England	Dec. 12, 1907	
Do.	Ernest S. Moseley	D. C.	England	England	Dec. 12, 1907	
Melbourne, Australia	John F. Jewell (b)	C.	Ill.	Ill.	June 10, 1908	3,000
Do.	Charles Hartlett	V. & D. C.	Austral.	Austral.	Mar. 23, 1909	
Adelaide	George H. Prosser	Agt.	S. Aust.	S. Aust.	Aug. 10, 1907	179.00
Fremantle, Western Australia	Udolpho W. Burke	Agt.	N. Y.	Austral.	Jan. 10, 1911	108.00
Moncton, New Brunswick	Michael J. Hendrick	C.	N. Y.	N. Y.	June 10, 1908	2,000
Do.	Chipman A. Steeves	V. & D. C.	Canada	Canada	June 30, 1906	
Newcastle	Byron N. Call	Agt.	Canada	Canada	Feb. 19, 1904	1,630.00
Parrishoro	Hugh Gillespie	Agt.	Canada	Canada	Oct. 19, 1909	644.50
Montreal, Quebec	William Harrison Bradley	C. G.	Ill.	Ill.	Aug. 15, 1907	6,000
Do.	Patrick Gorman	V. & D. C. G.	Canada	Canada	Feb. 18, 1886	
Hemmingford	Wellington W. Wark	Agt.	N. Y.	Canada	May 14, 1885	240.00
Huntingdon	John Dineen	Agt.	N. Y.	Canada	Aug. 15, 1895	573.00
Nassau, N. P.	Julian Potter (b)	C.	N. Y.	N. Y.	Oct. 30, 1903	3,000
Do.	Frank M. Menendez	V. & D. C.	Baha.	Baha.	Aug. 11, 1909	
Albert Town	Jose G. Maura	Agt.	Pa.	Baha.	Oct. 5, 1898	210.00
Dunmore Town	Samuel M. Sweeting	Agt.	Baha.	Baha.	Mar. 21, 1906	66.00
Governor's Harbor	Ahner W. Griffin	Agt.	Baha.	Baha.	Mar. 3, 1896	30.00
Matthew Town	John I. Sargent	Agt.	Baha.	Baha.	Dec. 7, 1910	368.50
Newcastle, New South Wales	George B. Killmaster (n)	C.	Canada	Mich.	Jan. 9, 1908	3,000
Do.	John K. Foster	V. & D. C.	N. Y.	N. Y.	Jan. 14, 1907	
Brisbane, Queensland	James W. Collins	Agt.	N. S. W.	Queens.	Jan. 8, 1909	862.50
Townsville, Queensland	Joseph Bollen	Agt.	Austral.	Queens.	Nov. 19, 1910	154.50
Newcastle-on-Tyne, England	Horace W. Metcalf	C.	Me.	Me.	June 25, 1897	3,000
Do.	Hetherington Nixon	V. & D. C.	England	England	July 2, 1896	
West Hartlepool	Hans C. Nielsen	Agt.	England	England	May 15, 1899	865.88
Niagara Falls, Ontario	William H. H. Webster	C.	N. Y.	N. Y.	Oct. 26, 1903	2,000
Do.	George Mortimer	V. & D. C.	Canada	Canada	Dec. 15, 1910	
Nottingham, England	Samuel M. Taylor	C.	Ohio	Ohio	May 2, 1910	4,500
Do.	William Force Stead	V. & D. C.	D. C.	D. C.	June 11, 1908	
Do.	Thomas H. Cook	D. C.	England	England	Oct. 26, 1900	
Derby	Charles K. Eddowes	Agt.	England	England	Oct. 13, 1882	1,039.43
Leicester	Samuel S. Partridge	Agt.	England	England	June 1, 1891	1,520.98

LIST OF CONSULAR OFFICERS

145

GREAT BRITAIN AND DOMINIONS.

Place.	Name and title.	Where born.	Whence appointed.	Date of commission.	Salary.	Fees, year ending June 30, 1906.
Orillia, Ontario.....	Harry P. Dill.....	C. Me.....	Me.....	June 10, 1908	\$2,500	.....
Do.....	Bertram A. S. Webber, V. & D. C.	Canada.	Canada.	Nov. 9, 1909	.....	.....
Midland.....	Ronald F. White.....	Agt. Canada.	Canada.	Oct. 14, 1907	.....	\$1,672.50
North Bay, Nipissing...	Edgar C. Wakefield.....	Agt. Me.....	Me.....	Oct. 1, 1906	.....	4,631.50
Parry Sound.....	Walter R. Foot.....	Agt. Ireland	Canada	Nov. 2, 1892	.....	808.50
Ottawa, Ontario.....	John G. Foster (b).....	C. G. Vt.....	Vt.....	June 18, 1903	6,000	.....
Do.....	Horace M. Sanford, V. & D. C. G	Conn.....	Conn.....	Sept. 9, 1898	.....	.....
Arnprior.....	William B. Murphy.....	Agt. N. C.	N. C.	Aug. 24, 1909	.....	4,507.00
Owen Sound, Ontario.....	Augustus G. Seyfert (b).....	C. Pa.....	Pa.....	June 10, 1908	2,500	.....
Do.....	William T. Robertson, V. & D. C.	Canada.	Canada.	July 27, 1908	.....	.....
Plymouth, England.....	Joseph G. Stephens (n).....	C. England	Ind.....	July 15, 1897	2,500	.....
Do.....	John J. Stephens.....	V. & D. C. Pa.....	Ind.....	Oct. 7, 1899	.....	.....
Port Antonio, Jamaica....	Julius D. Dreher (c).....	C. S. C.....	S. C.....	June 24, 1910	3,000	.....
Do.....	Daniel H. Jackson.....	V. & D. C. Jamaica	Jamaica	June 30, 1906	.....	.....
Port Maria.....	Alfred Savarian.....	Agt. Jamaica	Jamaica	Feb. 8, 1905	.....	2,673.86
Port Elizabeth, Cape of Good Hope.	Ernest A. Wakefield (b).....	C. Me.....	Me.....	Jan. 11, 1910	3,500	.....
Do.....	Edmund Julian Hart, V. & D. C	La.....	La.....	Jan. 7, 1909	.....	.....
East London.....	William H. Fuller.....	Agt. Cape Col	Cape Col.	Mar. 28, 1884	.....	55.00
Port Louis, Mauritius.....	.....	C.....	.....	.....	2,000	.....
Do.....	Robert E. Sneed.....	V. C. Mauri.	Mauri.	Dec. 7, 1906	.....	.....
Prescott, Ontario.....	Martin R. Sackett (b).....	C. N. Y.....	N. Y.....	June 5, 1903	2,500	.....
Do.....	James Buckley.....	V. & D. C. Canada.	Canada.	Apr. 5, 1876	.....	.....
Quebec, Quebec.....	Gebhard Willrich (nb).....	C. Ger.....	Wis.....	June 9, 1909	3,500	.....
Do.....	Frank S. Stocking.....	V. & D. C. N. Y.....	N. Y.....	Aug. 5, 1908	.....	.....
Do.....	Peter William Patnaude.....	D. C. N. H.	Mass.....	June 18, 1910	.....	.....
Victoriaville.....	George E. Beaudet (n).....	Agt. Canada.	Cal.....	Apr. 28, 1902	.....	4,311.50
Rangoon, India.....	Maxwell K. Moorhead (b).....	C. Pa.....	Pa.....	Apr. 15, 1910	3,500	.....
Do.....	John Henry Monson.....	V. & D. C. Cal.....	Cal.....	Dec. 21, 1908	.....	.....
Rimouski, Quebec.....	Frederick M. Ryder (n).....	C. Canada.	Conn.....	June 10, 1908	3,500	.....
Do.....	Michel Ringuet, jr.....	V. & D. C. Canada.	Canada.	June 30, 1906	.....	.....
Cabano.....	Thomas T. Hammond.....	Agt. Me.....	Me.....	Sept. 6, 1906	.....	3,291.50
Edmundston.....	J. Adolphe Guy.....	Agt. Me.....	N. B.....	June 1, 1896	.....	3,127.50
St. John, New Brunswick.	Henry S. Culver (b).....	C. Ohio.	Ohio.	June 24, 1910	3,000	.....
Do.....	Clarence Carrigan.....	V. & D. C. Cal.....	Cal.....	Mar. 3, 1910	.....	.....
Fredericton.....	W. Porter Boyd.....	Agt. Mo.....	Mo.....	Nov. 25, 1908	.....	4,612.50
St. John's, Newfoundland.	James S. Benedict.....	C. N. Y.....	N. Y.....	Mar. 30, 1907	2,500	.....
Do.....	Henry F. Bradshaw.....	V. C. N. F.	N. F.....	May 1, 1897	.....	.....
St. John's, Quebec.....	Andrew J. McConnico (d).....	C. Miss.....	Miss.....	May 31, 1909	2,000	.....
Do.....	John Donaghy.....	V. & D. C. Canada.	Canada.	Feb. 26, 1890	.....	.....
St. Stephen, New Brunswick.	Charles A. McCullough (b).....	C. Me.....	Me.....	July 17, 1897	2,000	.....
Do.....	Charlie N. Vroom.....	V. & D. C. N. B.	N. B.....	Aug. 26, 1895	.....	.....
Campobello Island.....	John J. Alexander (n).....	Agt. N. B.	Me.....	May 7, 1887	.....	423.50
Sandakan, British North Borneo.	Orlando H. Baker.....	C. Ind.....	Iowa.....	June 10, 1908	3,000	.....
Do.....	John Nimmo Wardrop.....	V. C. England	B. N. B.	Apr. 21, 1909	.....	.....
Sarnia, Ontario.....	Fred C. Slater (nd).....	C. Ger.....	Kans.....	July 16, 1909	2,500	.....
Do.....	Arthur J. Chester.....	V. & D. C. Canada.	Canada.	May 18, 1900	.....	.....
Sault Ste. Marie, Ontario	George W. Shotts (b).....	C. Ohio.	Mich.....	June 22, 1906	2,500	.....
Do.....	James Dawson.....	V. & D. C. Canada.	Canada.	Aug. 28, 1909	.....	.....
Sudbury.....	David M. Brodie.....	Agt. Scotland	Canada.	Feb. 1, 1907	.....	1,620.50

GREAT BRITAIN AND DOMINIONS.

Place.	Name and title.	Where born.	Whence appointed.	Date of commission.	Salary.	Fees, year ending June 30, 1906.
Sheffield, England.....	Charles N. Daniels (b).....	C. N. Y.	Conn	Sept. 25, 1903	\$3,000	.....
Do.....	Rice K. Evans.....	V. & D. C.	Ohio	Apr. 26, 1909	.....	.....
Do.....	Luther J. Parr.....	D. C.	England	July 31, 1902	.....	.....
Sherbrooke, Quebec.....	Paul Lang (b).....	C. N. H.	N. H.	July 15, 1897	3,500	.....
Do.....	George E. Borlase.....	V. & D. C.	Canada	Feb. 4, 1899	.....	.....
Beebe Junction.....	Hoel S. Beebe.....	Agt.	Vt.	Oct. 15, 1909	\$1,505.50	.....
Cookshire.....	William F. Given.....	Agt.	D. C.	Aug. 6, 1898	2,504.00	.....
Megantic.....	Henry W. Albro.....	Agt.	Canada	Oct. 28, 1898	1,232.00	.....
Waterloo.....	Arthur S. Newell.....	Agt.	Ill.	Aug. 29, 1910	1,050.00	.....
Sierra Leone, West Africa	William J. Yerby (c).....	C.	Ark.	June 28, 1906	2,000	.....
Do.....	John R. King.....	V. & D. C.	Pa.	Mar. 25, 1910	.....	.....
Singapore, Straits Settlements.	James T. DuBois (e).....	C. G.	Pa.	Apr. 5, 1909	4,500	.....
Do.....	David M. Figart.....	V. & D. C. G.	Pa.	Mar. 9, 1910	.....	.....
Penang.....	Otto Schule.....	Agt.	Switz.	July 20, 1907	.....	947.25
Southampton, England.....	Albert W. Swalm.....	C.	Pa.	Mar. 19, 1909	4,500	.....
Do.....	John A. Broomhead (n), V. & D. C.	England	N. Y.	July 16, 1909	.....	.....
Jersey.....	E. B. Renouf.....	Agt.	Jersey	Dec. 1, 1892	.....	84.50
Weymouth.....	Frederick W. Fuller.....	Agt.	England	July 17, 1902	.....	303.00
Suva, Fiji Islands.....	.....	C.	.....	.....	2,000	.....
Swansea, Wales.....	C. Ludlow Livingston (d).....	C. N. Y.	Pa.	Jan. 10, 1910	3,000	.....
Do.....	William D. Rees.....	V. & D. C.	Wales	Oct. 29, 1897	.....	.....
Sydney, Australia.....	John P. Bray.....	C. G.	N. Dak.	June 10, 1908	5,500	.....
Do.....	Elliott Verne Richardson, V. & D. C. G.	Mass.	N. Y.	Mar. 25, 1910	.....	.....
Sydney, Nova Scotia.....	John E. Kehl (b).....	C.	Ohio	June 10, 1908	3,000	.....
Do.....	George A. R. Rowlings, V. & D. C.	N. S.	N. S.	May 2, 1910	.....	.....
Canso.....	Alfred W. Hart.....	Agt.	N. S.	July 23, 1885	.....	212.00
Louisburg.....	Henry C. V. Le Vallee.....	Agt.	N. S.	Nov. 3, 1898	.....	350.00
Port Hawkesbury.....	Alexander Bain.....	Agt.	N. S.	Oct. 26, 1886	.....	500.00
Toronto, Ontario.....	Robert S. Chilton, jr.....	C.	D. C.	Mar. 10, 1905	4,000	.....
Do.....	David S. Tovell.....	V. & D. C.	Canada	Dec. 6, 1904	.....	.....
Peterborough.....	Charles F. Leonard.....	Agt.	Vt.	Oct. 11, 1910	.....	2,376.50
Trinidad, West Indies.....	Franklin D. Hale (b).....	C.	Vt.	May 31, 1909	3,000	.....
Do.....	Spencer J. Kirton.....	V. C.	St. Chris.	Oct. 8, 1904	.....	.....
Brighton, Island of Trinidad.	Arthur McCallum.....	Agt.	N. J.	Mar. 16, 1911	.....	311.50
Grenada.....	P. J. Dean.....	Agt.	England	Dec. 16, 1891	.....	507.50
Turks Island, West Indies.	Joseph A. Howells (b).....	C.	Ohio	Oct. 30, 1905	2,000	.....
Do.....	W. Stanley Jones.....	V. & D. C.	T. Isl.	Sept. 24, 1909	.....	.....
Cockburn Harbor.....	Cleophas Hunt Durham.....	Agt.	T. Isl.	July 1, 1896	.....	85.00
Salt Cay.....	Alexis W. Harriott.....	Agt.	T. Isl.	Mar. 2, 1911	.....	45.00
Vancouver, British Columbia.	David F. Wilber (b).....	C. G.	N. Y.	Aug. 26, 1910	4,500	.....
Do.....	G. Carlton Woodward, V. & D. C. G.	Pa.	Pa.	Sept. 3, 1910	.....	.....
Do.....	Alfred E. Galpin.....	D. C. G.	Canada	July 22, 1908	.....	.....
Do.....	Ozro C. Gould.....	C. A.	Minn.	Dec. 30, 1907	1,200	.....
Nelson.....	Walter S. Riblet.....	Agt.	Wis.	Aug. 19, 1902	.....	1,146.00
White Horse, Yukon Territory.	George Brinton Edwards.....	Agt.	Ill.	July 22, 1910	.....	.....

GREAT BRITAIN AND DOMINIONS—HAITI.

Place.	Name and title.	Where born.	Whence appointed.	Date of commission.	Salary.	Fees, year ending June 30, 1906.
Victoria, British Columbia	Abraham E. Smith (nb)	C. England	Ill.	July 2, 1897	\$4,000	
Do.	Robert M. Newcomb, V. & D. C.	Ind.	Ill.	Mar. 25, 1907		
<i>Cumberland</i>	<i>George W. Clinton</i>	Agt. Pa.	Pa.	Nov. 10, 1898		\$161.00
<i>Nanaimo</i>	<i>Joseph H. Pashley</i>	Agt. N. Y.	U. S.	Mar. 26, 1906		1,361.50
Windsor, Ontario	Harry A. Conant	C. Mich.	Mich.	Apr. 18, 1905	2,500	
Do.	Daniel Chater	V. & D. C. Canada.	Canada.	June 13, 1904		
Winnipeg, Manitoba	John Edward Jones	C. G. D. C.	D. C.	June 10, 1908	4,500	
Do.	James J. McBride	V. & D. C. G. Ohio.	Ohio.	Aug. 24, 1909		
<i>Fort William, Ontario</i>	<i>C. W. Jarvis</i>	Agt. Canada.	Canada.	July 17, 1895		795.50
<i>Kenora, Ontario</i>	<i>Rupert H. Moore</i>	Agt. England	Canada.	Mar. 6, 1909		635.50
Yarmouth, Nova Scotia	Alfred J. Fleming (b)	C. Mo.	Mo.	Mar. 30, 1907	2,500	
Do.	Hugh H. Watson	V. & D. C. Vt.	Vt.	May 2, 1908		
<i>Annapolis Royal</i>	<i>Jacob M. Owen</i>	Agt. N. S.	N. S.	Apr. 8, 1872		317.50
<i>Barrington Passage</i>	<i>Thomas W. Robertson</i>	Agt. N. S.	N. S.	Mar. 7, 1892		310.00
<i>Digby</i>	<i>William B. Stewart</i>	Agt. N. S.	N. S.	Jan. 16, 1873		394.00
GREECE.						
Athens	William H. Gale	C. G. N. Y.	Va.	Jan. 11, 1910	3,000	
Do.	Bernard Melissinos	V. C. G. Greece.	Greece.	Sept. 13, 1906		
Do.	Constantine M. Corafa (n)	D. C. G. Greece.	N. Y.	Feb. 13, 1911		
Patras	Arthur B. Cooke (d)	C. Va.	S. C.	Mar. 7, 1910	2,000	
Do.	Haworth J. Woodley	V. C. England	Greece.	Aug. 13, 1906		
<i>Corfu</i>	<i>Charles E. Hancock</i>	Agt. Greece.	Greece.	Jan. 22, 1902		40.50
GUATEMALA.						
Guatemala	George A. Bucklin, jr. (c)	C. Mo.	Okla.	June 24, 1910	3,500	
Do.	William Owen	V. & D. C. G. D. C.	Md.	June 28, 1904		
<i>Champerico</i>	<i>Michael F. Friely</i>	Agt. Ireland	Guat.	Apr. 22, 1909		675.00
<i>Livingston</i>	<i>Edward Reed</i>	Agt. Cal.	Cal.	Apr. 6, 1901		1,424.00
<i>Ocos</i>	<i>Samuel Wolford</i>	Agt. Cal.	Cal.	May 14, 1898		343.50
<i>San Jose de Guatemala</i>	<i>Robert Clarke</i>	Agt. Ireland	Guat.	Jan. 25, 1910		906.00
HAITI.						
Cape Haitien	Lemuel W. Livingston (b)	C. Fla.	Fla.	Jan. 14, 1898	2,000	
Do.	.....	V. C.				
<i>Gonaives</i>	<i>J. William Woel (n)</i>	Agt. Haiti.	Mass.	Sept. 8, 1890		309.00
<i>Port de Paix</i>	<i>Carl Abegg (n)</i>	Agt. Switz.	N. Y.	June 12, 1896		254.00
Port au Prince	John B. Terres	C. N. C.	N. Y.	May 5, 1904	3,000	
Do.	Alexander Battiste	V. & D. C. Ga.	Haiti.	July 30, 1904		
<i>Aux Cayes</i>	<i>Adolph Strohm</i>	Agt. Ger.	Haiti.	Dec. 1, 1906		334.50
<i>Jacmel</i>	<i>Louis Vital (n)</i>	Agt. Haiti.	Conn.	Feb. 6, 1904		352.00
<i>Jeremie</i>	<i>St. Charles Villedrouin (n)</i>	Agt. Haiti.	N. Y.	June 15, 1903		400.50
<i>Petit Goave</i>	<i>L. Kampmeyer</i>	Agt. Ger.	Haiti.	Mar. 23, 1899		203.50

HONDURAS-ITALY.

Place.	Name and title.	Where born.	Whence appointed.	Date of commission.	Salary.	Fees, year ending June 30, 1906.
HONDURAS.						
Celba	Allen Gard (d) C.	Md.	N. J.	Aug. 2, 1910	\$2,000	
Do.	Wm. P. English, jr. . . V. & D. C.	Conn.	Conn.	Mar. 9, 1911		
Bonacca	Sandy Kirkconnell Agt.	Hond.	Hond.	June 20, 1906		\$244.00
Rootan	Oliver L. Hardgrave Agt.	Ark.	Fla.	May 28, 1910		339.00
Tela	Wallace C. Hutchinson Agt.	Vt.	N. Y.	Apr. 12, 1905		311.50
Truxillo	John T. Glynn Agt.	La.	La.	July 25, 1899		272.00
Puerto Cortes	Claude I. Dawson (d) C.	Iowa	S. C.	June 24, 1910	2,500	
Do.	Joshua H. Watts V. & D. C.	Ind.	Ind.	Feb. 26, 1910		
San Pedro Sula	J. M. Mitchell, jr. Agt.	N. J.	Pa.	Jan. 26, 1891		47.00
Tegucigalpa	Arminius T. Haeberle (d) C.	Mo.	Mo.	Jan. 11, 1910	2,500	
Do.	Benjamin D. Guibert, V. & D. C.	Cal.	Cal.	Sept. 11, 1905		
Amapala	Georg Schmuck Agt.	Ger.	Hond.	July 29, 1909		358.50
San Juancito	Louis F. Valentine (a) Agt.	Hond.	N. Y.	Oct. 7, 1910		
ITALY.						
Catania	Arthur Garrels (d) C.	Mo.	Mo.	Jan. 11, 1910	3,000	
Do.	N. Lyle Robb V. & D. C.	Kans.	Texas	Feb. 28, 1911		
Florence	Leo. J. Keena (d) C.	Mich.	Mich.	Dec. 14, 1910	3,000	
Do.	William Wright Burt (a), V. & D. C.	Italy	N. Y.	June 3, 1910		
Genoa	James A. Smith (b) C. G.	Mich.	Vt.	June 10, 1908	4,500	
Do.	Archibald B. Dorman, V. & D. C. G.	Ill.	Ill.	Mar. 16, 1911		
Do.	Angelo Boragino (n) D. C. G.	Italy	Cal.	May 10, 1909		
Do.	Archibald B. Dorman C. A.	Ill.	Ill.	Aug. 27, 1907	1,200	
Leghorn	Do. C.				3,000	
Do.	Alden March V. & D. C.	N. Y.	Mass.	Aug. 1, 1907		
Carrara	Felix A. Dalmas Agt.	Pa.	N. Y.	May 2, 1910		(h) 203.00
Milan	Charles M. Caughy C.	Md.	Md.	May 31, 1909	4,000	
Do.	Charles C. Broy V. & D. C.	Va.	Va.	Mar. 16, 1911		
Do.	Charles H. Fischer D. C.	Ill.	N. Y.	Sept. 9, 1909		
Do.	Charles C. Broy C. A.	Va.	Va.	Mar. 16, 1911	1,000	
Naples	William W. Handley C.	D. C.	N. Y.	Dec. 14, 1910	4,000	
Do.	Warren E. Schutt V. & D. C.	N. Y.	N. Y.	Sept. 8, 1910		
Do.	Roberto de Masellis D. C.	Italy	Italy	Dec. 15, 1909		
Do.	Warren E. Schutt C. A.	N. Y.	N. Y.	June 24, 1910	1,000	
Bari	Henry M. Haigh Agt.	Mich.	N. Y.	July 31, 1907		1,076.50
Capri	Thomas Spencer Jerome Agt.	Mich.	Mich.	Jan. 23, 1901		64.50
Palermo	Hernando de Soto (ab) C.	Ger.	Cal.	June 24, 1910	3,500	
Do.	Giovanni Paterniti V. & D. C.	Italy	Italy	Oct. 26, 1900		
Rome	Chapman Coleman C.	Ky.	Ky.	June 10, 1908	3,500	
Do.	Kenneth S. Patton V. & D. C.	Va.	Va.	Apr. 20, 1909		
Do.	Vincenzo do Masellis D. C.	Italy	Italy	Nov. 14, 1908		
Do.	Kenneth S. Patton C. A.	Va.	Va.	June 24, 1908	1,000	
Turin	Albert H. Michelson C.	Md.	Mass.	Jan. 29, 1906	2,000	
Do.	Piero Gianolio V. & D. C.	Italy	Italy	Mar. 6, 1909		
Venice	James Verner Long C.	Pa.	Pa.	Aug. 2, 1910	2,000	
Do.	Alexander Thayer V. & D. C.	Mass.	Mass.	Sept. 5, 1902		

JAPAN—MEXICO.

Place.	Name and title.	Where born.	Whence appointed.	Date of commission.	Salary.	Fees, year ending June 30, 1906.
JAPAN.						
Dalny, Manchuria	C.				\$3,500	
Do.	Adolph A. Williamson, V. & D. C.	D. C.	D. C.	Dec. 10, 1908		
Do.	Adolph A. Williamson, Stud. Int.	D. C.	D. C.	Oct. 8, 1906	1,000	
Kobe	George N. West (b)	C. Me.	D. C.	Aug. 26, 1910	5,000	
Do.	Walter Gassett, V. & D. C.	Mass.	Hawaii	Nov. 29, 1905		
Do.	J. Preston Doughten	D. C.	Del.	Aug. 23, 1910		
Do.	Walter Gassett	Int. Mass.	Hawaii	Nov. 29, 1905	1,800	
Yokkaichi	Willard de L. Kingsbury	Agt. Cal.	Cal.	Aug. 11, 1909		\$931.50
Nagasaki	Carl F. Delchman (d)	C. Mo.	Mo.	May 31, 1909	3,500	
Do.	Carleton Miller, V. & D. C.	Iowa	Iowa	May 13, 1907		
Do.	Carleton Miller	Int. Iowa	Iowa	May 13, 1907	1,500	
Seoul, Korea	George H. Scidmore	C. G. Iowa	Wis.	Aug. 27, 1909	5,500	
Do.	Edwin L. Neville (g), V. & D. C. G.	Ohio	Ohio	Feb. 25, 1911		
Do.	Edwin L. Neville (g)	Int. Ohio	Ohio	Mar. 29, 1910	1,500	
Tamsui, Formosa	Samuel C. Reat (d)	C. Ill.	Ill.	May 31, 1909	3,000	
Do.	Francis Wm. O'Conner, V. & D. C.	Ireland	Formosa	Aug. 29, 1910		
Yokohama	Thomas Sammons	C. G. N. Y.	Wash.	Aug. 27, 1909	6,000	
Do.	Elwood G. Babbitt, V. & D. C. G.	Ohio	Mass.	July 7, 1906		
Do.	Roger Culver Tredwell, V. & D. C. G.	N. Y.	Ind.	May 16, 1910		
Do.	Henry B. Albright	D. C. G. Ohio	Ohio	June 8, 1908		
Do.	Roger Culver Tredwell	C. A. N. Y.	Ind.	Apr. 14, 1909	1,000	
Do.	Francis R. Eldridge, jr.	Int. N. J.	Md.	Mar. 18, 1911	1,500	
Hakodate	Edward Julian King	Agt. N. Y.	N. Y.	Mar. 2, 1904		273.00
KONGO.						
Boma	C. G.				4,500	
Do.	John W. Dye, V. & D. C. G.	Minn.	Minn.	Dec. 30, 1910		
Do.	John W. Dye	C. A. Minn.	Minn.	July 21, 1906	1,400	
LIBERIA.						
Monrovia	William D. Crum	(j) C. G.	S. C.	June 13, 1910		
Do.	John H. Reed	V. C. G. La.	Tex.	June 15, 1908		
MEXICO.						
Acapulco, Guerrero	Clement S. Edwards (d)	C. N. Y.	Minn.	Mar. 2, 1911	2,500	
Do.	Harry K. Pangburn, V. & D. C.	Iowa	Ky.	Sept. 1, 1908		
Aguascalientes, Aguascalientes	A. Donaldson Smith (d)	C. Pa.	N. C.	Apr. 13, 1910	2,000	
Do.	Harold G. Bretherton (n), V. & D. C.	Canada	Mont.	Nov. 8, 1910		

MEXICO.

Place.	Name and title.	Where born.	Whence appointed.	Date of commission.	Salary.	Fees, year ending June 30, 1906.
Chihuahua, Chihuahua...	Marion Letcher (d).....	C. Ala.....	Ga.....	Jan. 10, 1911	\$2,500	.....
Do.....	Charles M. Leonard, V. & D. C.	N. B.....	Mexico.....	Sept. 29, 1902	.....	.....
Parral.....	James I. Long.....	Agt. Pa.....	Pa.....	Apr. 1, 1895	.....	\$376.46
Ciudad Juarez, Chihuahua	Thomas D. Edwards (b).....	C. N. Y.....	S. Dak.....	June 30, 1905	2,500	.....
Do.....	Guillermo Zoeller.....	V. & D. C. Tex.....	Tex.....	Oct. 4, 1910	.....	.....
Ciudad Porfirio Diaz, Coahuila.	Luther T. Ellsworth (b).....	C. Ohio.....	Ohio.....	Oct. 21, 1907	2,500	.....
Do.....	Ernest Miller Stephens, V. & D. C.	Tenn.....	Tex.....	Mar. 20, 1911	.....	.....
Durango, Durango.....	Charles M. Freeman.....	C. Me.....	N. H.....	Mar. 30, 1907	2,000	.....
Do.....	Walter C. Bishop.....	V. & D. C. Kans.....	Kans.....	Dec. 19, 1902	.....	.....
Tapia.....	Thomas J. Lawrence.....	Agt. Colo.....	Nev.....	June 18, 1910	.....	.....
Torreón.....	George C. Carothers.....	Agt. Tex.....	Tex.....	Jan. 8, 1902	.....	1,993.42
Ensenada, Lower California.	George B. Schmucker (d).....	C. Va.....	Fla.....	May 31, 1909	2,000	.....
Do.....	Frederick R. Sanday(n), V. & D. C.	England	Cal.....	Mar. 1, 1911	.....	.....
Frontera, Tabasco.....	Alphonse J. Lespinasse.....	C. N. Y.....	N. Y.....	June 10, 1908	3,000	.....
Do.....	Edward M. Watson.....	V. & D. C. Ind.....	Kans.....	Apr. 27, 1910	.....	.....
Guadalajara, Jalisco.....	Samuel E. Magill.....	C. Pa.....	Ill.....	June 10, 1908	3,500	.....
Do.....	William B. Davis.....	V. & C. D. Tex.....	Colo.....	Sept. 30, 1908	.....	.....
Hermosillo, Sonora.....	Louis Hostetter (b).....	C. N. Y.....	N. Mex.....	May 1, 1905	2,000	.....
Do.....	Robt. S. Van R. Gutman, V. & D. C.	N. Y.....	N. Y.....	Aug. 24, 1905	.....	.....
Alamos.....	Marion S. MacCarthy.....	Agt. Iowa.....	Colo.....	Jan. 8, 1908	.....	137.33
Guaymas.....	Charles D. Taylor.....	Agt. N. Y.....	N. Y.....	Oct. 11, 1906	.....	995.94
La Paz, Lower California.	Lucien M. Sullivan (d).....	C. Ind.....	Pa.....	May 31, 1909	2,000	.....
Do.....	William Silver.....	V. C. Cal.....	Cal.....	Jan. 19, 1907	.....	.....
Manzanillo, Colima.....	.....	C.....	.....	.....	2,000	.....
Do.....	Richard M. Stadden.....	V. & D. C. Ill.....	Fla.....	Oct. 11, 1906	.....	.....
Matamoros, Tamaulipas.....	Jesse H. Johnson (b).....	C. W. Va.....	Tex.....	Jan. 12, 1910	2,500	.....
Do.....	Jorge Bielenberg (n).....	V. & D. C. Den.....	La.....	Feb. 25, 1909	.....	.....
Mazatlan, Sinaloa.....	William E. Alger.....	C. Mass.....	Mass.....	Dec. 16, 1909	2,500	.....
Do.....	Charles B. Parker.....	V. & D. C. Vt.....	Vt.....	June 21, 1909	.....	.....
Mexico, Mexico.....	Arnold Shanklin.....	C. G. Mo.....	Mo.....	Jan. 11, 1909	6,000	.....
Do.....	Claude E. Guyant.....	V. & D. C. G. Ill.....	Ill.....	Oct. 20, 1910	.....	.....
Guanajuato.....	Norman Rowe.....	Agt. N. Y.....	N. Y.....	Nov. 30, 1907	.....	256.50
Oaxaca.....	Ezra M. Lawton.....	Agt. Ohio.....	Ohio.....	Feb. 19, 1908	.....	230.00
Puebla.....	William M. Chambers (a).....	Agt. Colom.....	Pa.....	June 19, 1909	.....	968.00
Monterey, Nuevo Leon.....	Philip C. Hanna.....	C. G. Iowa.....	Iowa.....	Nov. 1, 1899	3,500	.....
Do.....	T. Ayres Robertson, V. & D. C. G.	Mo.....	Mo.....	Feb. 8, 1905	.....	.....
Nogales, Sonora.....	Alexander V. Dye (d).....	C. Ill.....	Mo.....	May 31, 1909	2,500	.....
Do.....	Ely Martin.....	V. & D. C. Mo.....	N. Mex.....	Aug. 29, 1910	.....	.....
Cananea.....	George A. Wiswall.....	Agt. Ill.....	Ill.....	July 29, 1909	.....	2,834.50
Nuevo Laredo, Tamaulipas	Alonzo B. Garrett (b).....	C. W. Va.....	W. Va.....	Sept. 21, 1901	2,500	.....
Do.....	James G. Burr.....	V. & D. C. Kans.....	Tex.....	Dec. 5, 1903	.....	.....
Progreso, Yucatan.....	George B. McGoogan (c).....	C. Ind.....	Ind.....	June 2, 1909	3,000	.....
Do.....	William P. Young.....	V. & D. C. Pa.....	Pa.....	Feb. 17, 1910	.....	.....
Campeche.....	Rafael Ramirez.....	Agt. Mexico.....	Mexico.....	May 7, 1907	.....	184.00
Laguna de Terminos.....	Robert S. Boyd.....	Agt. Ga.....	Ga.....	Sept. 6, 1906	.....	453.50

LIST OF CONSULAR OFFICERS

151

MEXICO—NETHERLANDS AND DOMINIONS.

Place.	Name and title.	Where born.	Whence appointed.	Date of commission.	Salary.	Fees, year ending June 30, 1906.
Salina Cruz, Oaxaca.	Lewis W. Haskell (d).....C.	Ark.....	S. C.....	Jan. 11, 1910	\$2,000	.....
Do.....	Warren W. Rich.....V. & D. C.	N. Y.....	N. Y.....	June 16, 1908	.....	.....
<i>Puerto Mexico.</i>	Chauncey M. Canada.....Agt.	Ind.....	Ind.....	July 3, 1909	.....	\$1,215.00
Saltillo, Coahuila.	Thomas W. Voetter (d).....C.	Ohio.....	N. Mex.....	Aug. 15, 1907	2,000	.....
Do.....	John R. Silliman.....V. & D. C.	Ala.....	Tex.....	Dec. 13, 1907	.....	.....
San Luis Potosi, San Luis Potosi.	Wilbert L. Bonney (d).....C.	Minn.....	Ill.....	June 24, 1910	2,500	.....
Do.....	Frank A. Dickinson.....V. & D. C.	Mexico.....	Tex.....	Sept. 30, 1908	.....	.....
Tampico, Tamaulipas.	Clarence A. Miller (d).....C.	Mo.....	Mo.....	Jan. 11, 1910	3,000	.....
Do.....	Neill E. Pressly.....V. & D. C.	S. C.....	N. C.....	Jan. 28, 1909	.....	.....
Tapachula, Chiapas.	Albert W. Brickwood, jr.....C.	Ill.....	Ariz.....	May 31, 1909	2,000	.....
Do.....	Charles A. Leshner.....V. & D. C.	Mo.....	Cal.....	Sept. 20, 1909	.....	.....
Veracruz, Veracruz.	William W. Canada.....C.	Ind.....	Ind.....	June 7, 1897	4,500	.....
Do.....	Ernesto Lux.....V. & D. C.	Ger.....	Mexico.....	Nov. 28, 1903	.....	.....
MOROCCO.						
Tangier.	Maxwell Blake (c).....C. G.	Mo.....	Mo.....	Dec. 14, 1910	3,500	.....
Do.....	George E. Holt.....V. & D. C. G.	Ill.....	Ill.....	Nov. 9, 1907	.....	.....
Do.....	.....Int.	.....	.....	.....	800	.....
<i>Casa Blanca.</i>	Conrad H. Toel.....Agt.	Ger.....	Morocco.....	June 24, 1904	.....	157.00
<i>Mogador.</i>	George Broome.....Agt.	England.....	Morocco.....	Sept. 17, 1891	.....	195.00
NETHERLANDS AND DOMINIONS.						
Amsterdam.	Frank W. Mahin (b).....C.	Iowa.....	Iowa.....	May 4, 1910	5,000	.....
Do.....	Dirk P. De Young.....V. & D. C.	Kans.....	N. Mex.....	Dec. 24, 1909	.....	.....
Batavia, Java.	Bradstreet S. Rairden.....C.	La.....	Me.....	Oct. 10, 1900	3,000	.....
Do.....	.....V. & D. C.	.....	.....	.....	.....	.....
<i>Macassar, Celebes.</i>	Wiebe P. de Jong.....Agt.	Java.....	Celebes.....	May 29, 1906	.....	310.00
<i>Padang, Sumatra.</i>	Johan C. Bijleveld.....Agt.	Java.....	Sumatra.....	Apr. 13, 1910	.....	700.00
<i>Samarang.</i>	James Richard Owen.....Agt.	Ireland.....	Java.....	May 2, 1910	.....	636.00
<i>Sarabaya.</i>	Benjamin N. Powell.....Agt.	England.....	Java.....	Oct. 29, 1897	.....	975.50
Curacao, West Indies.	Elias H. Cheney.....C.	N. H.....	N. H.....	Feb. 2, 1899	2,500	.....
Do.....	Christoffel S. Gorsira.....V. C.	W. I.....	W. I.....	June 12, 1906	.....	.....
<i>Bonaire.</i>	Gottlob W. Hellmund.....Agt.	Bonaire.....	Bonaire.....	Jan. 9, 1900	.....	134.50
Rotterdam.	Soren Listoe (n).....C. G.	Den.....	Minn.....	May 15, 1902	5,500	.....
Do.....	Edward P. Theobald.....V. & D. C. G.	Pa.....	Pa.....	Jan. 18, 1908	.....	.....
Do.....	Ernest Vollmer.....D. C. G.	Cal.....	Cal.....	May 29, 1909	.....	.....
Do.....	Leonard Koot.....D. C. G.	Neth.....	Neth.....	Jan. 16, 1908	.....	.....
<i>Flushing.</i>	Pieter F. Auer.....Agt.	Neth.....	Neth.....	Jan. 5, 1899	.....	269.00
<i>Luxemburg, Luxemburg.</i>	Ernest Derulle (n).....Agt.	Lux.....	N. Y.....	Mar. 23, 1904	.....	320.50
<i>Scheveningen.</i>	Anders C. Nelson (n).....Agt.	Den.....	Ill.....	Apr. 5, 1910	.....	419.00

NICARAUGA—PARAGUAY.

Place.	Name and title.	Where born.	Whence appointed.	Date of commission.	Salary.	Fees, year ending June 30, 1906.
NICARAUGA.						
Bluefields	Arthur J. Clare (n)	C. Barba	D. C.	Jan. 21, 1911	\$3,500	
Do.	V. C.					
Cape Gracias a Dios	Edwin W. Trimmer	C. N. Y.	N. Y.	June 21, 1905	2,000	
Do.	William H. Seat	V. C. Tex.	Ark.	Apr. 24, 1907		
Corinto	James W. Johnson (c)	C. Fla.	N. Y.	Jan. 12, 1909	3,000	
Do.	Henry H. Leonard	V. & D. C. Ind.	Ind.	July 1, 1908		
Managua	Thomas P. Moffat	C. N. Y.	N. Y.	Jan. 20, 1911	3,000	
Do.	V. & D. C.					
Matagalpa	William H. De Savigny (n)	Agt. Canada.	Minn.	Jan. 24, 1905		\$11.00
San Juan del Sur	Charles Holmann	Agt. Ger.	Nic.	Apr. 10, 1886		122.50
NORWAY.						
Bergen	Bertil M. Rasmusen	C. Iowa	Iowa	Jan. 12, 1910	2,500	
Do.	John A. Merkle	V. & D. C. Wash.	Okla.	June 11, 1908		
Do.	Thorvald K. Beyer	D. C. Norway.	Norway.	Aug. 3, 1908		
Christiania	Henry Bordewich (nb)	C. G. Norway.	Minn.	May 9, 1900	3,000	
Do.	Haakon E. Dahr, jr.	V. & D. C. G. Norway.	Norway.	Oct. 12, 1909		
Christiansand	Borre Rosenkilde	Agt. Norway.	Norway.	Mar. 5, 1910		420.00
Trondhjem	Claus Berg	Agt. Norway.	Norway.	Sept. 24, 1898		580.50
Stavanger	P. Emerson Taylor (d)	C. Pa.	Nebr.	Jan. 10, 1910	2,000	
Do.	C. F. Falck	V. & D. C. Norway.	Norway.	July 12, 1907		
OMAN.						
Maskat	John A. Ray (d)	C. Tex.	Tex.	May 31, 1909	2,000	
Do.	Mahomed Fazel	V. & D. C. India.	Oman	June 26, 1907		
PANAMA.						
Colon	James C. Kellogg	C. Miss.	La.	May 27, 1905	4,000	
Do.	Jesse M. Hyatt	V. & D. C. Md.	Md.	May 3, 1904		
Bocas del Toro	Paul Osterhout	Agt. Tex.	Tex.	Dec. 10, 1908		1,717.50
Panama	Alban G. Snyder	C. G. W. Va.	W. Va.	Jan. 11, 1909	5,500	
Do.	Casyon L. Dreier	V. & D. C. G. Iowa.	Iowa.	Mar. 11, 1911		
Santiago	Nathaniel I. Hill	Agt. U. S.		June 3, 1904		
PARAGUAY.						
Asuncion	Cornelius Ferris, jr. (d)	C. Mich.	Colo.	May 31, 1909	2,000	
Do.	Henry V. Plate	V. C. Neth.	Parag.	Apr. 22, 1908		

LIST OF CONSULAR OFFICERS

153

PERSIA—RUSSIA.

Place.	Name and title.	Where born.	Whence appointed.	Date of commission.	Salary.	Fees, year ending June 30, 1906.
PERSIA.						
Tabriz.....	Gordon Paddock.....	C. N. Y.	N. Y.	June 24, 1910	\$3,000	.....
Teheran.....	John Tyler.....	Agt. England	Persia...	Aug. 18, 1906	.....	\$121.25
PERU.						
Callao.....	William H. Robertson (d)...	C. G. Va.	Va.	May 2, 1910	4,500	.....
Do.....	Milton B. Kirk.....	V. & D. C. G. Ill.	Ill.	Dec. 23, 1910	.....	.....
Do.....	Milton B. Kirk.....	C. A. Ill.	Ill.	rMar. 30, 1907	1,200	.....
Cerro de Pasco.....	Joseph H. Fleming.....	Agt. Ohio	Ohio	Feb. 26, 1908	.....	32.00
Mollendo.....	William Morrison.....	Agt. Scotland	Peru	Sept. 26, 1910	.....	494.00
Paita.....	Charles B. G. Wilson.....	Agt. Peru	Peru	Aug. 1, 1908	.....	1,923.50
Salaverry.....	Cecil H. H. Caldicott.....	Agt. England	Peru	Aug. 11, 1905	.....	468.50
Iquitos.....	.....	C.	.....	.....	3,000	.....
Do.....	.....	V. C.	.....	.....	.....	.....
PORTUGAL AND DOMINIONS.						
Lisbon.....	Louis H. Ayme.....	C. G. N. Y.	Ill.	May 24, 1906	3,500	.....
Do.....	James L. A. Burrell, V & D. C. G.	Pa.	Md.	Nov. 17, 1910	.....	.....
Funchal, Madeira.....	W. L. Faber.....	Agt.	Madeira	Feb. 24, 1911	.....	.....
Oporto.....	William H. Stuve.....	Agt.	Portugal	Jan. 2, 1908	.....	(h) 938.50
St. Vincent, C. V. I.....	J. B. Guimaraes.....	Agt. C. V. I.	C. V. I.	Jan. 23, 1895	.....	(h) 175.00
Lourenco Marquez, East Africa.	George A. Chamberlain (a)...	C. Brazil	N. Mex.	May 31, 1909	5,000	.....
Do.....	James Owen Spence... V. & D. C.	England	L. Marq.	Mar. 5, 1910	.....	.....
St. Michael's, Azores.....	Edward A. Creevey (b).....	C. N. J.	Conn.	June 10, 1908	3,000	.....
Do.....	Wm. W. Nicholls (n)...	V. & D. C. England	Mass.	Sept. 5, 1899	.....	.....
Fayal.....	Moyzes Benarus.....	Agt. Azores	Azores	June 10, 1899	.....	361.50
Terceira.....	Thome de Castro.....	Agt. Azores	Azores	Jan. 4, 1908	.....	248.00
ROUMANIA.						
Bucharest.....	Roland B. Harvey (c).... (k) C. G.	Md.	Md.	June 24, 1910	.....	.....
Do.....	Wm. G. Boxshall... V. & D. C. G.	England	Roum.	Mar. 23, 1908	.....	.....
RUSSIA.						
Batum.....	Alexander Heingartner (b).....	C. N. Y.	Ohio	June 10, 1908	2,500	.....
Do.....	Emerio Mattievich.....	V. C. Russia	Russia	June 13, 1907	.....	.....
Moscow.....	John H. Snodgrass.....	C. G. W. Va.	W. Va.	May 31, 1909	5,500	.....
Do.....	Gustav Eugen Hartwig, (n) V. & D. C. G.	Russia	N. Y.	Sept. 30, 1908	.....	.....
Omsk.....	Adolph F. Reinecke.....	Agt. N. Y.	N. Dak.	June 5, 1908	.....	5.00

RUSSIA-SPAIN AND DOMINIONS.

Place.	Name and title.	Where born.	Whence appointed.	Date of commission.	Salary.	Fees, year ending June 30, 1906.
Odessa	John H. Grout	C. Mass.	Mass.	Jan. 9, 1908	\$3,500	
Do.	Alfred W. Smith (a)	V. & D. C. Russia.	Vt.	June 19, 1906		
Rostoff-on-Don	George R. Martin	Agt. Russia.	Russia.	Oct. 23, 1903		\$173.04
Riga	William F. Doty (b)	C. N. Y.	N. J.	June 24, 1910	3,000	
Do.	Laurance Hill	V. & D. C. Russia.	Russia.	Jan. 24, 1907		
Libau	Alfred Seligmann	Agt. Ger.	Russia.	Sept. 19, 1908		1,544.50
St. Petersburg	Jacob E. Conner (d)	C. Ohio.	Iowa.	Aug. 27, 1909	3,500	
Do.	H. Custis Vezey	V. & D. C. Pa.	Fla.	Aug. 24, 1908		
Helsingfors, Finland	Victor Ek	Agt. Russia.	Russia.	June 30, 1906		567.00
Revel	Christian Rotermann	Agt. Russia.	Russia.	July 31, 1902		33.50
Vladivostok, Siberia	Lester Maynard (c)	C. Cal.	Cal.	Mar. 11, 1908	3,500	
Do.	Harold F. Newhard	V. & D. C. Pa.	Pa.	Oct. 2, 1909		
Do.	Harold F. Newhard	Int. Pa.	Pa.	Jan. 26, 1910	1,200	
Warsaw	Thomas E. Heenan	C. Pa.	Minn.	Jan. 22, 1909	4,000	
Do.	Witold Fuchs	V. & D. C. Ger.	Russia.	Mar. 16, 1911		
SALVADOR.						
San Salvador	Thomas Ewing Dabney (ek)	C. G. La.	La.	Apr. 4, 1910		
Do.	Harold D. Clum	V. & D. C. G. N. Y.	N. Y.	Apr. 7, 1909		
SERVIA.						
Belgrade	Robert S. S. Bergh (nb)	C. Norway.	N. Dak.	June 10, 1908	3,000	
Do.	Samuel Weiss (n)	V. & D. C. Hung.	N. Y.	July 16, 1909		
Do.	Rayko J. Novakovitch	D. C. Servia.	Servia.	Mar. 6, 1911		
SIAM.						
Bangkok	G. Cornell Tarler (e)	(k) C. G. N. Y.	N. Y.	Aug. 4, 1909		
Do.	Carl C. Hansen (n)	V. & D. C. G. Den.	Cal.	Apr. 2, 1909		
SPAIN AND DOMINIONS.						
Barcelona	Henry H. Morgan	C. G. La.	La.	May 11, 1910	5,500	
Do.	Harry A. McBride	V. & D. C. G. Mich.	Mich.	Oct. 31, 1910		
Bilbao	Hans Winkler	Agt. Switz.	Spain.	Mar. 4, 1911		1,464.50
Palma de Mallorca	Juan Morey y Cabanellas	Agt. Spain.	Spain.	Jan. 20, 1909		702.00
Tarragona	Louis J. Agostini (n)	Agt. Italy.	Cal.	Oct. 19, 1899		1,407.50
Jerez de la Frontera	Percival Gassett (d)	C. Mass.	D. C.	June 10, 1908	2,500	
Do.	John P. Marks	V. & D. C. England	Spain.	Mar. 23, 1909		
Madrid	Charles L. Hoover (d)	C. Iowa.	Mo.	June 4, 1909	2,500	
Do.	Jose Maria Gay	V. & D. C. P. I.	P. I.	Dec. 9, 1910		
Corunna	Enrique Fraga	Agt. Spain.	Spain.	Nov. 7, 1906		463.00
Vigo	Enrique Mulder	Agt. Neth.	Spain.	Apr. 18, 1900		810.50

SPAIN AND DOMINIONS—TURKEY AND DOMINIONS.

Place.	Name and title.	Where born.	Whence appointed.	Date of commission.	Salary.	Fees, year ending June 30, 1906.
Malaga	Edward J. Norton (d).....	C. Minn....	Tenn....	May 31, 1909	\$3,000	.....
Do.....	Thomas R. Geary.....	V. C. Spain...	Spain...	July 3, 1899	.....	.....
Do.....	Albert S. Troughton.....	D. C. Spain...	Spain...	Jan. 5, 1903	.....	.....
Almeria.....	.....	Agt.	.....	.....	.....	\$1,947.00
Seville	Charles S. Winans.....	C. N. Y....	Mich....	May 31, 1909	3,000	.....
Do.....	Harris N. Cookingham, V. & D. C.	N. Y....	N. Y....	Jan. 7, 1911	.....	.....
Cadiz	James Sanderson.....	Agt.	England	May 11, 1908	.....	2,432.50
Huelva	William J. Alcock.....	Agt.	Ireland	Apr. 4, 1901	.....	1,265.00
Teneriffe, Canary Islands ..	William W. Kitchen (nd).....	C. Canada..	Miss....	Mar. 2, 1911	2,500	.....
Do.....	.....	V. & D. C.	.....	.....	.....	.....
Grand Canary	Peter Swanton.....	Agt.	Can. Isl.	Jan. 11, 1900	.....	381.50
Valencia	Robert Frazer, jr. (d).....	C. Pa.....	Pa.....	July 16, 1909	2,500	.....
Do.....	Joseph L. Byrne.....	V. & D. C.	Ireland..	June 19, 1900	.....	.....
Alicante	Henry W. Carey.....	Agt.	Spain...	Feb. 25, 1905	.....	843.94
Denia	Luis Tono.....	Agt.	Spain...	Nov. 2, 1906	.....	647.12
SWEDEN.						
Gothenburg	Stuart J. Fuller (d).....	C. Iowa....	Wis....	July 29, 1909	2,500	.....
Do.....	Wilhelm Hartman.....	V. & D. C.	Sweden..	Sept. 12, 1907	.....	.....
Malmo	Hugo Lindgren.....	Agt.	Sweden..	Nov. 7, 1903	.....	856.22
Stockholm	Ernest L. Harris.....	C. G. Iowa....	Ill....	Jan. 20, 1911	3,500	.....
Do.....	Per Torsten Berg (n).....	V. C. G.	Sweden..	June 18, 1909	.....	.....
Do.....	Torvald Nystrom.....	D. C. G.	Sweden..	July 9, 1909	.....	.....
Sundvall	Ernst H. Amneus.....	Agt.	Sweden..	Mar. 9, 1908	.....	345.00
SWITZERLAND.						
Basel	George Gifford.....	C. Me.....	Me.....	Jan. 11, 1884	3,500	.....
Do.....	Samuel Hollinger.....	V. & D. C.	Switz....	Jan. 2, 1897	.....	.....
Berne	George Heimrod (n).....	C. Ger....	Nebr....	May 1, 1908	3,500	.....
Do.....	Leo J. Frankenthal.....	V. & D. C.	Mass....	June 30, 1908	.....	.....
Geneva	Francis B. Keene.....	C. Wis....	Wis....	Mar. 23, 1905	3,500	.....
Do.....	Louis H. Munier.....	V. & D. C.	Switz....	May 10, 1899	.....	.....
Vevey	Theodore F. Dwight.....	Agt.	N. Y....	Mar. 28, 1904	.....	1,372.32
St. Gall	Dominic I. Murphy.....	C. Pa.....	D. C....	Feb. 18, 1909	4,500	.....
Do.....	Eugene Nabel (n).....	V. & D. C.	Ger....	July 1, 1908	.....	.....
Zurich	Robert E. Mansfield (b).....	C. G. Iowa....	Ind....	Feb. 17, 1909	4,500	.....
Do.....	Arthur J. Bundy.....	V. & D. C. G.	Ohio....	Oct. 1, 1909	.....	.....
Do.....	Carl Gubler.....	D. C. G.	Switz....	Mar. 4, 1911	.....	.....
Lucerne	Julius Hartmann.....	Agt.	Switz....	Jan. 20, 1909	.....	625.13
TURKEY AND DOMINIONS.						
Aleppo, Syria	Jesse B. Jackson.....	C. Ohio....	Ohio....	June 10, 1908	3,000	.....
Do.....	Lorenzo Y. Manachy, V. & D. C.	Syria....	Syria....	Nov. 20, 1908	.....	.....
Alexandretta	John T. Peristiany.....	Agt.	Cyprus... Turkey..	July 16, 1908	.....	535.00

TURKEY AND DOMINIONS.

Place.	Name and title.	Where born.	Whence appointed.	Date of commission.	Salary.	Fees, year ending June 30, 1906.
Alexandria, Egypt.	David R. Birch (b) C. Pa.	Pa.	Pa.	June 10, 1908	\$3,500	
Do.	Francis L. Romeo . . . V. & D. C	Turkey..	Egypt..	Feb. 16, 1909		
Bagdad.	Frederick Simpich (d) C. Ill.	Ill.	Wash. .	May 31, 1909	2,000	
Do.	James Scott Levack . . . V. & D. C.	Turkey..	Turkey..	June 8, 1910		
Bassorah.	Samuel Dods Agt. England	England	Turkey..	June 10, 1910		(h) \$178.50
Beirut, Syria	W. Stanley Hollis C. G. Mass.	Mass. .	Mass. .	Dec. 19, 1910	4,500	
Do.	Felix W. Smith (a), V. & D. C. G.	Russia. .	N. Y. . .	Mar. 6, 1910		
Damascus.	Nasif Meshaka Agt. Syria.	Syria. .	Syria. .	Apr. 22, 1870		490.00
Haisfa.	Theodore J. Struve Agt. N. Y.	N. Y. .	N. Y. .	Mar. 21, 1906		100.50
Tripoli.	Ira Harris Agt. N. Y.	N. Y. .	N. Y. .	Mar. 3, 1899		134.00
Cairo, Egypt.	Peter Augustus Jay (l) C. G. R. I.	R. I. . .	R. I. . .	Dec. 21, 1909		
Do.	C. Piquette Mitchel, V. & D. C. G.	Mich. .	Mich. .	Mar. 1, 1911		
Do.	Louis Belrose D. C. G.	D. C. .	D. C. .	July 10, 1908		
Do.	Arthur H. Leavitt Stud. Int.	Mass. .	N. H. .	June 2, 1909	1,000	
Assiout.	George Wissa Bey Agt. Egypt.	Egypt..	Egypt..	June 25, 1903		16.00
Port Said.	Harry Broadbent Agt. England	England	Egypt..	Nov. 17, 1900		601.50
Sues.	Frederick T. Peake Agt. England	England	Egypt..	July 29, 1905		609.00
Constantinople.	Gabriel Bie Ravndal (nb) . . . C. G. Norway.	S. Dak. .	S. Dak. .	Dec. 19, 1910	6,000	
Do.	Oscar S. Heizer V. & D. C. G.	Iowa. .	Iowa. .	Jan. 18, 1908		
Do.	William Smith-Lyte D. C. G.	Turkey..	Turkey..	Jan. 18, 1908		
Do.	William Smith-Lyte Mar	Turkey..	Turkey..	Feb. 11, 1902	(s) 1,000	
Do.	Arshag K. Schmavonian Int.	Turkey..	Turkey..	Apr. 9, 1900	1,000	
Do.	William Smith-Lyte Int	Turkey..	Turkey..	Jan. 30, 1904		
Do.	Oscar S. Heizer Int.	Iowa. .	Iowa. .	May' 21, 1906	1,500	
Dardanelles.	Alfred R. Grech Agt. Turkey.	Turkey..	Turkey..	Nov. 9, 1908		16.00
Harput.	William W. Masterson C. Ky.	Ky. . . .	Ky. . . .	June 10, 1908	3,000	
Do.	William E. D. Ward . . . V. & D. C.	Mass. .	Mass. .	Nov. 22, 1910		
Jerusalem, Syria.	William Coffin (e) C. Ky.	Ky. . . .	Ky. . . .	June 24, 1910	3,000	
Do.	Lewis Heck V. & D. C.	Pa. . . .	Pa. . . .	Dec. 17, 1910		
Do.	John D. Whiting (a) D. C.	Syria. .	Ill. . . .	Nov. 6, 1908		
Do.	Lewis Heck Stud. Int.	Pa. . . .	Pa. . . .	June 2, 1909	1,000	
Jaffa.	Jacob Hardegg Agt. Ger.	Ger. . .	Turkey..	Sept. 20, 1910		96.00
Mersine.	Edward I. Nathan (d) C. Pa.	Pa. . . .	Pa. . . .	May 4, 1909	2,500	
Do.	John Debbas V. & D. C.	Turkey..	Turkey..	June 20, 1908		
Saloniki.	George Horton C. N. Y.	Ill. . . .	Ill. . . .	Jan. 10, 1910	3,500	
Do.	John L. Binda (n) . . . V. & D. C.	Italy. .	Mass. .	Jan. 23, 1911		
Do.	John L. Binda (n) Stud. Int.	Italy. .	Mass. .	June 2, 1909	1,000	
Sivas.		C.			2,000	
Do.		Int. . . .			800	
Smyrna.		C. G. . . .			3,500	
Do.	Lucien Memminger. V. & D. C. G.	Fla. . . .	S. C. . . .	Jan. 21, 1911		
Do.	James W. Wilkinson . . . D. C. G.	Turkey..	Turkey..	July 1, 1908		
Do.		Int. . . .			800	
Do.	Lucien Memminger C. A.	Fla. . . .	S. C. . . .	rMar.30, 1907	1,400	
Trebizond.	Milo A. Jewett (a) C. Turkey.	Mass. .	Mass. .	Dec. 11, 1905	2,500	
Do.	Isaiah Montesanto V. C.	Turkey..	Turkey..	Aug. 18, 1906		
Do.	Isaiah Montesanto Int.	Turkey..	Turkey..	Sept. 27, 1906		
Sam'soun.	William Peter Agt. Switz.	Switz. .	Turkey..	Sept. 19, 1906		479.00
Tripoli-in-Barbary, North Africa.	John Q. Wood (d) C. Me.	Me. . . .	Hawaii.	Aug. 2, 1910	2,500	
Do.	Arthur E. Saunders . . . V. & D. C.	England	Tripoli..	Apr. 28, 1909		

LIST OF CONSULAR OFFICERS

157

URUGUAY—ZANZIBAR.

Place.	Name and title.	Where born.	Whence appointed.	Date of commission.	Salary.	Fees, year ending June 30, 1906.
URUGUAY.						
Montevideo.....	Frederic W. Goding (b).....	C. Mass.....	Ill.....	Aug. 15, 1907	\$3,500	.....
Do.....	Frederic L. Goding.....	V. & D. C. Tenn.....	Ill.....	May 13, 1910	.....	.....
VENEZUELA.						
La Guaira.....	Isaac A. Manning (d).....	C. Ind.....	Oreg.....	Feb. 18, 1909	3,000	.....
Do.....	August Leefmans.....	V. & D. C. Curacao	Venez.....	Apr. 16, 1910	.....	.....
Barcelona.....	Ignacio H. Baiz.....	Agt. St. Thos.	Venez.....	Apr. 11, 1881	.....	\$175.50
Caracas.....	H. F. Arthur Schoenfeld.....	Agt. R. I.....	D. C.....	Sept. 17, 1910	.....	595.50
Carupano.....	Jose Blasini.....	Agt. Venez.....	Venez.....	July 8, 1904	.....	285.00
Ciudad Bolivar.....	William D. Henderson (a).....	Agt. Venez.....	Venez.....	Dec. 7, 1910	.....	1,043.00
Maracaibo.....	Ralph J. Totten (d).....	C. Tenn.....	Tenn.....	Mar. 7, 1910	2,500	.....
Do.....	Werner J. Leitner.....	V. & D. C. N. Y.....	N. Y.....	Dec. 30, 1910	.....	218.25
Coro.....	.....	Agt. ....	.....	.....	.....	.....
Puerto Cabello.....	Herbert R. Wright (b).....	C. Iowa.....	Iowa.....	Jan. 13, 1909	2,000	.....
Do.....	Lodewyk J. Verhelst.....	V. & D. C. Curacao	Venez.....	Aug. 11, 1909	.....	.....
ZANZIBAR.						
Zanzibar.....	Alexander W. Weddell (d).....	C. Va.....	Va.....	Jan. 11, 1910	2,500	.....
Do.....	Frank W. Vining (n).....	V. & D. C. Canada..	N. J.....	Feb. 16, 1909	.....	.....

CONSULAR ASSISTANTS.

Place.	Name.	Where born.	Whence appointed.	Date of commission.	Compensation.
London	Richard Westacott	Mass.	Mass.	Nov. 21, 1898	\$1,800
Paris	Dean B. Mason	Ohio	Ohio	June 8, 1899	1,800
Washington	Maddin Summers	Tenn.	Tenn.	July 27, 1899	1,800
Berlin	Frederic W. Cauldwell	N. Y.	D. C.	Mar. 30, 1903	1,800
Boma	John W. Dye	Minn.	Minn.	July 21, 1906	1,400
Callao	Milton B. Kirk	Ill.	Ill.	Mar. 30, 1907	1,200
Smyrna	Lucien Memminger	Fla.	S. C.	Mar. 30, 1907	1,400
Berlin	Archibald B. Dorman	Ill.	Ill.	Aug. 27, 1907	1,200
Vancouver	Ozro C. Gould	Minn.	Minn.	Dec. 30, 1907	1,200
Paris	Bartley F. Yost (n)	Switz.	Kans.	June 24, 1908	1,000
Berlin	Frank Bohr	Kans.	Kans.	June 24, 1908	1,000
Rome	Kenneth S. Patton	Va.	Va.	June 24, 1908	1,000
Buenos Aires	Charles Lyon Chandler (g)	Mass.	Mass.	Aug. 1, 1908	1,000
Rio de Janeiro	Ross J. Hazeltine (g)	Ind.	Ind.	Mar. 3, 1909	1,000
Yokohama	Roger Culver Tredwell	N. Y.	Ind.	Apr. 14, 1909	1,000
Milan	Charles C. Broy	Va.	Va.	July 19, 1909	1,000
Berlin	James B. Young	D. C.	Pa.	July 19, 1909	1,000
London	Ripley Wilson	Ill.	Ill.	Jan. 3, 1910	1,000
Naples	Warren E. Schutt	N. Y.	N. Y.	June 24, 1910	1,000
Washington	De Witt C. Poole, jr.	Wash.	Ill.	Dec. 20, 1910	1,000
Do	Ely E. Palmer	R. I.	R. I.	Dec. 20, 1910	1,000
Berlin	Louis G. Dreyfus, jr.	Cal.	Cal.	Dec. 20, 1910	1,000
Washington	Bernard Manning	S. C.	S. C.	Mar. 3, 1911	1,000
Do	Alfred R. Thomson	Md.	Md.	Mar. 10, 1911	1,000
Do	Hasell H. Dick	S. C.	S. C.	Mar. 10, 1911	1,000

STUDENT INTERPRETERS IN CHINA.

Peking	Harold O. Henry (a)	France	R. I.	June 4, 1908	\$1,000
Do	Mahlon Fay Perkins	Mass.	Cal.	Jan. 14, 1909	1,000
Do	Raymond P. Tenney (a)	China	Mass.	June 2, 1909	1,000
Do	Horace Remillard	Mass.	Mass.	June 2, 1909	1,000
Do	George C. Hanson	Conn.	Conn.	June 12, 1909	1,000
Do	Crawford M. Bishop	Md.	Md.	Apr. 1, 1910	1,000
Do	John A. Britsow	Iowa	Iowa	Apr. 1, 1910	1,000
Do	Paul R. Josselyn	Iowa	Iowa	Apr. 20, 1910	1,000
Do	George F. Bickford	Wash.	Wash.	Mar. 10, 1911	1,000
Do	Charles P. McKiernan	Conn.	N. Y.	Mar. 10, 1911	1,000

STUDENT INTERPRETERS IN JAPAN.

Dalny	Adolph A. Williamson	D. C.	D. C.	Oct. 8, 1906	\$1,000
Tokyo	Joseph W. Ballantine (a)	India	Mass.	June 2, 1909	1,000
Do	Raymond S. Curtice	Conn.	Pa.	Apr. 1, 1910	1,000
Do	Harold C. Huggins	Oreg.	Oreg.	Apr. 1, 1910	1,000
Do	Max D. Kirjassoff	Russia	Conn.	Mar. 10, 1911	1,000

STUDENT INTERPRETERS IN TURKEY.

Cairo	Arthur H. Leavitt	Mass.	N. H.	June 2, 1909	\$1,000
Saloniki	John L. Binda (n)	Italy	Mass.	June 2, 1909	1,000
Jerusalem	Lewis Heck	Pa.	Pa.	June 2, 1909	1,000
Constantinople	Samuel Edelman	Pa.	Pa.	June 2, 1909	1,000
Do	Ralph F. Chesbrough	R. I.	Wis.	Apr. 1, 1910	1,000
Do	Ralph H. Bader	Va.	Va.	Apr. 1, 1910	1,000
Do	Leland B. Morris	Tex.	Pa.	Apr. 1, 1910	1,000
Do	Frank B. Rairden (a)	Java	N. Y.	Mar. 10, 1911	1,000
Do	George W. Young	Iowa	Md.	Mar. 10, 1911	1,000
Do	Donald Nicolson (n)	Scotland	Mass.	Mar. 10, 1911	1,000

ABBREVIATIONS.

Agt.—Consular Agent.	Int.—Interpreter.
Agt. & C. G.—Agent (Diplomatic) and Consul-General.	Mar.—Marshal.
Amb. E. & P.—Ambassador Extraordinary and Plenipotentiary.	Mil. Att.—Military Attache
C.—Consul.	Nav. Att.—Naval Attache.
C. A.—Consular Assistant.	Sec. of Emb.—Secretary of Embassy.
C. G.—Consul-General.	Sec. of Leg.—Secretary of Legation.
D. C.—Deputy Consul.	Stud. Int.—Student Interpreter.
D. C. G.—Deputy Consul-General.	V. C.—Vice-Consul.
Dip. Agt.—Diplomatic Agent.	V. & D. C.—Vice and Deputy Consul.
E. E. & M. P.—Envoy Extraordinary and Minister Plenipotentiary.	V. & D. C. G.—Vice and Deputy Consul-General.

KEY TO REFERENCES.

- a* Born of American parents residing abroad.
b Entered the service after examination under Executive order of September 20, 1895.
c Entered the service after examination under Executive order of November 10, 1905.
d Entered the service after examination under Executive order of June 27, 1906.
e Appointed under Executive order of June 27, 1906.
f Entered the service as Student Interpreter, after examination.
g Entered the Consular Service as Student Interpreter, after examination.
h Incomplete returns.
i Entered the service after examination under Executive order of November 26, 1909.
j The Consul-General is also Minister Resident.
k The Consul-General is also Secretary of the Legation.
l The Consul-General is also Agent (Diplomatic)
m Accredited to Greece and Montenegro.
n Naturalized citizen.
o Accredited to the Netherlands and Luxemburg.
p Accredited to Paraguay and Uruguay.
q Accredited to Roumania, Servia, and Bulgaria.
r Date of appointment as Consular Clerk; appointed Consular Assistant July 1, 1908.
s And fees.

(4)

OFFICIAL DOCUMENTS

CONVENTION BETWEEN THE UNITED KINGDOM AND AUSTRIA-HUNGARY
PROVIDING FOR THE SETTLEMENT BY ARBITRATION OF CERTAIN
CLASSES OF QUESTIONS WHICH MAY ARISE BETWEEN THE TWO
GOVERNMENTS.¹

*Signed at London, July 16, 1910; ratifications exchanged at London,
December 2, 1910.*

His Majesty the King of the United Kingdom of Great Britain and
Ireland and of the British Dominions beyond the Seas, Emperor of
India, and

His Majesty the Emperor of Austria, King of Bohemia, etc., and
Apostolic King of Hungary, signatories of the convention for the pacific
settlement of international disputes, concluded at The Hague on the
29th July, 1899,

Taking into consideration that by Article 19 of that convention the
high contracting parties have reserved to themselves the right of con-
cluding agreements, with a view of referring to arbitration all ques-
tions which they shall consider possible to submit to such treatment,
have resolved to conclude the following convention, and for that pur-
pose have appointed their plenipotentiaries:

His Majesty the King of the United Kingdom of Great Britain and
Ireland and of the British Dominions beyond the Seas, Emperor of
India, the Right Honourable Sir Edward Grey, a Baronet of the
United Kingdom, a Member of Parliament, His Majesty's Principal
Secretary of State for Foreign Affairs,

His Majesty the Emperor of Austria, King of Bohemia, etc., and
Apostolic King of Hungary, Count Albert Mensdorff-Pouilly-Dietrich-
stein, His Privy Councillor and Chamberlain, His Ambassador Extraor-
dinary and Plenipotentiary to His Britannic Majesty:

Who after communicating to each other their respective full powers,
found in good and due form, have agreed upon the following articles:

ARTICLE I.

Differences which may arise of a legal nature, or relating to the inter-
pretation of treaties existing between the high contracting parties, and

¹ Great Britain Treaty Series, 1911, No. 1.

which it may not have been possible to settle by diplomacy, shall be referred to the Permanent Court of Arbitration established at The Hague by the convention of the 29th July, 1899: provided, nevertheless, that they do not affect the vital interests, the independence, or the honour of the high contracting parties, and do not concern the interests of other Powers.

ARTICLE II.

In each individual case the high contracting parties, before appealing to the Permanent Court of Arbitration, shall conclude a special agreement defining clearly the matter in dispute, the scope of the powers of the arbitrators, and the periods to be fixed for the formation of the arbitral tribunal and the several stages of the procedure.

ARTICLE III.

The present convention shall be ratified, and the ratifications shall be exchanged as soon as possible at London.

It shall remain in force for five years from the first of June, 1910. Unless notice be given six months before the expiration of that term, it shall remain in force for other five years. The same provision will be applied in each case of expiration of a further quinquennial period.

In witness whereof the respective plenipotentiaries have signed the present convention and have affixed thereto their seals.

Done in duplicate at London, the 16th July, 1910.

(L. s.)	E. GREY.
(L. s.)	MENSENDORFF.

CONVENTION BETWEEN THE UNITED KINGDOM AND FRANCE IN REGARD
TO WORKMEN'S COMPENSATION FOR ACCIDENTS.¹

Signed at Paris, July 3, 1909; ratifications exchanged at Paris, October 13, 1910.

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and the President of the French Republic, equally desirous that their respective subjects and citizens shall enjoy reciprocally the benefits

¹ Great Britain, Treaty Series, No. 26, 1910.

of the legislation in force in the United Kingdom of Great Britain and Ireland, and France, respectively, in regard to compensation for accidents arising out of their employment, have resolved to conclude to that effect a convention, and have named as their plenipotentiaries:

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India:

His Excellency the Right Honourable Sir Francis Bertie, Ambassador Extraordinary and Plenipotentiary of His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, to the President of the French Republic,

And the President of the French Republic:

M. Stephen Pichon, Senator, Minister for Foreign Affairs;

Who, having reciprocally communicated their full powers, found in good and due form, have agreed as follows:—

ARTICLE 1.

British subjects who meet with accidents arising out of their employment as workmen in France, and persons entitled to claim through or having rights derivable from them, shall enjoy the benefits of the compensation and guarantees secured to French citizens by the legislation in force in France in regard to the liability of employers in respect of such accidents.

Reciprocally, French citizens who meet with accidents arising out of their employment as workmen in the United Kingdom of Great Britain and Ireland, and persons entitled to claim through or having rights derivable from them, shall enjoy the benefits of the compensation and guarantees secured to British subjects by the legislation in force in the United Kingdom of Great Britain and Ireland in regard to compensation for such accidents, supplemented as specified in Article 5.

ARTICLE 2.

Nevertheless, the present convention shall not apply to the case of a person engaged in a business having its headquarters in one of the two contracting states, but temporarily detached for employment in the other contracting state and meeting with an accident in the course of that employment, if at the time of the accident the said employment has lasted less than six months. In this case the persons interested

shall only be entitled to the compensation and guarantees provided by the law of the former state.

The same rule shall apply in the case of persons engaged in transport services and employed at intervals, whether regular or not, in the country other than that in which the headquarters of the business are established.

ARTICLE 3.

The British and French authorities will reciprocally lend their good offices to facilitate the administration of their respective laws as aforesaid.

ARTICLE 4.

The present convention shall be ratified, and the ratifications shall be exchanged at Paris as soon as possible.

It shall be applicable in France and in the United Kingdom of Great Britain and Ireland to all accidents happening after one month from the time of its publication in the two countries in the manner prescribed by their respective laws, and it shall remain binding until the expiration of one year from the date on which it shall have been denounced by one or other of the two contracting parties.

ARTICLE 5.

Nevertheless, the ratification mentioned in the preceding article shall not take place till the legislation at present in force in the United Kingdom of Great Britain and Ireland in regard to workmen's compensation has been supplemented, so far as concerns accidents to French citizens arising out of their employment as workmen, by arrangements to the following effect:—

(a) That the compensation payable shall in every case be fixed by an award of the county court.

(b) That in any case of redemption of weekly payments the total sum payable shall, provided it exceeds a sum equivalent to the capital value of an annuity of 4*l.* (100 fr.), be paid into court, to be employed in the purchase of an annuity for the benefit of the person entitled thereto.

(c) That in those cases in which a lump sum representing the compensation payable shall have been paid by the employer into the county court, if the injured workman returns to reside in France, or if the dependents resided in France at the time of his death or subsequently return to reside in France, the total sum due to the injured workman or to his dependents shall be paid over through the county court to the

"Caisse nationale française des Retraites pour la Vieillesse," who shall employ it in the purchase of an annuity according to its tariff at the time of the payment; and further, that in the case in which a lump sum shall not have been paid into court, and the injured workman returns to reside in France, the compensation shall be remitted to him through the county court at such intervals and in such way as may be agreed upon by the competent authorities of the two countries.

(d) That in respect of all the acts done by the county court in pursuance of the legislation in regard to workmen's compensation, as well as in the execution of the present convention, French citizens shall be exempt from all expenses and fees.

(e) That at the beginning of each year His Majesty's Principal Secretary of State for the Home Department will send to the "Département du Travail et de la Prévoyance sociale" a record of all judicial decisions given in the course of the preceding year under the legislation in regard to workmen's compensation in the case of French citizens injured by accident in the United Kingdom of Great Britain and Ireland.

In witness whereof the above mentioned plenipotentiaries have signed the present convention and have affixed thereto their seals.

Done at Paris, in duplicate, the 3rd July, 1909.

(L. S.) FRANCIS BERTIE.

(L. S.) S. PICHON.

TREATY BETWEEN THE UNITED KINGDOM AND GERMANY RESPECTING
EXTRADITION BETWEEN BRITISH AND GERMAN PROTECTORATES.¹

*Signed at Berlin, January 30, 1911; ratifications exchanged at Berlin,
April 1, 1911.*

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India,

And His Majesty the German Emperor, King of Prussia, in the name of the German Empire,

Considering it advisable to regulate by a treaty the extradition of fugitive criminals between certain British protectorates and the German protectorates, have appointed as their plenipotentiaries for this purpose:

¹ Great Britain Treaty Series, 1911, No. 8.

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, His Ambassador Extraordinary and Plenipotentiary, Member of His Privy Council, the Right Honourable Sir William Edward Goschen;

His Majesty the German Emperor, King of Prussia, His Secretary of State of the Foreign Office, Actual Privy Councillor, Herr von Kiderlen-Waechter.

The plenipotentiaries, after having communicated to each other their respective full powers, which were found to be in good and due form, have agreed to and concluded the following articles:

ARTICLE I.

The provisions of the extradition treaty between Great Britain and Germany, signed on the 5th May, 1894, shall apply to extradition between those British protectorates mentioned in the list hereto attached and the German protectorates, equally as if those protectorates were foreign possessions of His Britannic Majesty.

If, after the signature of this treaty, it should be considered advisable to apply its provisions to British protectorates other than those mentioned in the list annexed to this treaty, then, after agreement arrived at between the respective governments, its conditions shall apply also to these other protectorates.

ARTICLE II.

In place of Article III of the treaty of the 5th May, 1894, and in place of Article III therein mentioned of the extradition treaty between Great Britain and the German Empire of the 14th May, 1872, the following provision is inserted in respect of extradition between British and German protectorates, namely, that neither of the two high contracting parties is obliged to surrender its own subjects or the natives of its respective protectorates.

ARTICLE III.

The present treaty shall be ratified and the ratifications shall be exchanged as soon as possible.

The treaty shall come into operation two months after the exchange of ratifications, and shall remain in force as long as the extradition treaty between Great Britain and the German Empire of the 14th May, 1872, remains in force, and shall lapse with the termination of that treaty.

In witness whereof the respective plenipotentiaries have signed this treaty, and have affixed thereto the seal of their arms.

Done in duplicate at Berlin the 30th of January, 1911.

(L. S.)	W. E. GOSCHEN.
(L. S.)	KIDERLEN.

ANNEX. List of British Protectorates.

Bechuanaland Protectorate.
East Africa Protectorate.
Gambia Protectorate.
North-Eastern Rhodesia.
North-Western Rhodesia.
Northern Nigeria.
Northern territories of the Gold Coast.
Nyasaland.
Sierra Leone Protectorate.
Somaliland Protectorate.
Southern Nigeria Protectorate.
Southern Rhodesia.
Swaziland.
Uganda Protectorate.
The State of North Borneo.
Zanzibar.

ARRANGEMENT BETWEEN THE UNITED STATES AND OTHER POWERS RELATIVE TO THE REPRESSION OF THE CIRCULATION OF OBSCENE PUBLICATIONS.¹

Signed at Paris, May 4, 1910; ratification of the United States deposited with the Government of the French Republic, March 15, 1911; proclaimed April 13, 1911.

[Translation.]

The governments of the Powers hereinbelow named, equally desirous of facilitating within the scope of their respective legislation, the mutual interchange of information with a view to tracing and repressing offences connected with obscene publications, have resolved to conclude an

¹ U. S. Treaty Series, No. 559.

arrangement to that end and have, in consequence, designated their plenipotentiaries who met in conference at Paris from April 18 to May 4, 1910, and agreed on the following provisions:

ARTICLE I.

Each one of the contracting Powers undertakes to establish or designate an authority charged with the duty of

(1) Centralizing all information which may facilitate the tracing and repressing of acts constituting infringements of their municipal law as to obscene writings, drawings, pictures or articles, and the constitutive elements of which bear an international character.

(2) Supplying all information tending to check the importation of publications or articles referred to in the foregoing paragraph and also to insure or expedite their seizure all within the scope of municipal legislation.

(3) Communicating the laws that have already been or may subsequently be enacted in their respective states in regard to the object of the present arrangement.

The contracting governments shall mutually make known to one another, through the Government of the French Republic, the authority established or designated in accordance with the present article.

ARTICLE II.

The authority designated in Article I shall be empowered to correspond directly with the like service established in each one of the other contracting states.

ARTICLE III.

The authority designated in Article I shall be bound, if there be nothing to the contrary in the municipal law of its country, to communicate bulletins of the sentences passed in the said country to the similar authorities of all the other contracting states in cases of offences coming under Article I.

ARTICLE IV.

Non-signatory states will be permitted to adhere to the present arrangement. They shall notify their intention to that effect by means of an instrument which shall be deposited in the archives of the Government of the French Republic. The said government shall send through diplomatic channel a certified copy of the said instrument to each one of

the contracting states and shall at the same time apprise them of the date of deposit.

Six months after that date the arrangement will go into effect throughout the territory of the adhering state which will thereby become a contracting state.

ARTICLE V.

The present arrangement shall take effect six months after the date of deposit of the ratifications.

In the event of one of the contracting states denouncing it, the denunciation would only have effect in regard to that state.

The denunciation shall be notified by an instrument which shall be deposited in the archives of the Government of the French Republic. The said government shall send through the diplomatic channel a certified copy thereof to each one of the contracting states and at the same time apprise them of the date of deposit.

Twelve months after that date the arrangement shall cease to be in force throughout the territory of the denouncing state.

ARTICLE VI.

The present arrangement shall be ratified and the ratifications shall be deposited at Paris as soon as six of the contracting states shall be in position to do so.

A procès verbal of every deposit of ratifications shall be drawn up and a certified copy thereof shall be delivered through the diplomatic channel to each one of the contracting states.

ARTICLE VII.

Should a contracting state wish to enforce the present arrangement in one or more of its colonies, possessions or consular court districts, it shall notify its intention to that effect by an instrument which shall be deposited in the archives of the Government of the French Republic. The said government shall send through the diplomatic channel a certified copy to each one of the contracting states and at the same time apprise it of the date of the deposit.

Six months after that date the arrangement shall go into effect in the colonies, possessions or consular court districts specified in the instrument of notification.

The denunciation of the arrangement by one of the contracting states

in behalf of one or more of its colonies, possessions or consular court districts will be effected in the form and under the conditions set forth in the first paragraph of this article. It will become operative twelve months after the date of the deposit of the instrument of denunciation in the archives of the Government of the French Republic.

ARTICLE VIII.

The present arrangement which will bear date of May 4, 1910, may be signed at Paris until the following 31st of July by the plenipotentiaries of the Powers represented at the conference relative to the repression of the circulation of obscene publications.

Done at Paris, the fourth day of May one thousand nine hundred and ten in a single copy of which a certified copy shall be delivered to each one of the signatory Powers.

For Germany:

(L. s.) Signed ALBRECHT LEUTZE.
(L. s.) Signed CURT JOEL.

For Austria and Hungary:

(L. s.) Signed A. NEMES,
Chargé d'Affaires of Austria-Hungary.

For Austria:

(L. s.) Signed J. EICHHOFF,
Austrian Imperial and Royal Section Counselor.

For Hungary:

(L. s.) Signed G. LEERS,
Hungarian Royal Ministerial Counselor.

For Belgium:

(L. s.) Signed JULES LEJEUNE.
(L. s.) Signed ISIDORE MAUS.

For Brazil:

(L. s.) Signed J. C. DE SOUZA BANDEIRA.

For Denmark:

(L. s.) Signed C. E. COLD.

For Spain:

(L. s.) Signed OCTAVIO CUARTERO.

For the United States:

(L. s.) Signed A. BAILLY-BLANCHARD.

For France:		
	(L. s.) Signed	R. BÉRENGER.
For Great Britain:		
	(L. s.) Signed	E. W. FARNALL.
	(L. s.) Signed	F. S. BULLOCK.
	(L. s.) Signed	G. A. AITKEN.
For Italy:		
	(L. s.) Signed	J. C. BUZZATTI.
	(L. s.) Signed	GEROLAMO CALVI.
For the Netherlands:		
	(L. s.) Signed	A. DE STUERS.
	(L. s.) Signed	RETHAAN MACARE.
For Portugal:		
	(L. s.) Signed	COUNT DE SOUZA ROZA.
For Russia:		
	(L. s.) Signed	ALEXIS DE BELLEGARDE.
	(L. s.) Signed	WLADIMIR DERUGINSKY.
For Switzerland:		
	(L. s.) Signed	LARDY.

GENERAL TREATY OF ARBITRATION BETWEEN ITALY AND THE ARGENTINE
REPUBLIC.¹

*Signed at The Hague, September 18, 1907; ratifications exchanged May
21, 1910.*

His Majesty the King of Italy and His Excellency the President of the Argentine Republic, inspired by the principles of the convention for the pacific settlement of international disputes concluded at The Hague July 29, 1899, and desirous, conformably to the spirit of Article 19 of the said convention, of consecrating, by means of a general agreement the principle of obligatory arbitration in their reciprocal relations, have decided to conclude a convention to this end, and have therefore appointed as their plenipotentiaries their plenipotentiary delegates to the second peace conference, viz:

¹ Translated from the Italian by Henry G. Crocker, of the Department of State, Washington.

His Majesty the King of Italy:

His Excellency Count Giuseppe Tornielli Brusati di Vergano, senator of the kingdom, his ambassador near the President of the French Republic, member of the Permanent Court of Arbitration;

His Excellency Guido Pompilj, deputy in the national parliament, his under secretary of state for foreign affairs;

The Honorable Guido Fusinato, deputy in the national parliament, member of the council of state;

His Excellency the President of the Argentine Republic:

His Excellency Roque Saenz-Peña, formerly minister of foreign affairs, his envoy extraordinary and minister plenipotentiary near his majesty the King of Italy and near the Swiss Confederation, member of the Permanent Court of Arbitration;

His Excellency Luis Maria Drago, formerly minister of foreign affairs, deputy in the national congress, member of the Permanent Court of Arbitration;

His Excellency Carlos Rodriguez Larreta, formerly minister of foreign affairs, member of the Permanent Court of Arbitration;

Who, after having communicated their respective full powers, which were found to be in due and proper form, have agreed as follows:

ARTICLE 1.

The high contracting parties bind themselves to submit to arbitral judgment all controversies, of whatever nature, which may arise between them and which it shall not have been possible to resolve diplomatically, with the exception of those affecting constitutional provisions in force in one or the other state.

In controversies of which the judicial authorities may have jurisdiction according to the territorial law, the contracting parties shall have the right of not submitting the case to arbitral judgment until after the national judiciary shall have definitively given judgment.

The following controversies shall in every case be submitted for arbitral judgment:

1st. Those relative to the interpretation and the application of conventions concluded or to be concluded between the contracting parties;

2nd. Those relative to the interpretation and the application of a principle of international law.

The question whether or not a given controversy constitutes one of those provided for in the foregoing sections 1 and 2, will likewise be submitted to arbitration.

Differences relative to the nationality of individuals are expressly withheld from arbitration.

ARTICLE 2.

In each case the high contracting parties will sign a special compromise which shall fix the object of the case, and, if there is need, the seat of the tribunal, the language which it shall use and those whose use shall be allowed before it, the amount that each party must deposit in advance for expenses, the procedure and the dates for the constitution of the tribunal and for the exchange of the memorials and documents, and in general all the conditions upon which they may agree.

In the absence of a compromise, the arbitrators, appointed in accordance with the rules established in Articles 3 and 4 of the present treaty, shall pass full judgment on the claims that may be submitted to them.

Moreover and in the absence of a special agreement, the provisions established in the convention for the pacific settlement of international disputes signed at The Hague July 29, 1899, shall be applied with the modifications and additions contained in the following articles.

ARTICLE 3.

Unless otherwise stipulated the tribunal shall be composed of three members. The two parties shall each nominate one, chosen preferably from the list of members of the Permanent Court established by the said convention of The Hague and they shall agree on the choice of the third arbitrator. If agreement on this point is not possible, the parties will have recourse to a third Power, in order that it may make the designation, and in default of agreement also on this point, a request shall be made of her majesty the Queen of the Netherlands or her successors.

The third arbitrator shall be chosen from the list of the members of the said Permanent Court. He shall not be a national of either party, nor have domicile or residence in their territories.

The same person can not act as third arbitrator in two consecutive cases.

ARTICLE 4.

When the parties do not agree upon the constitution of the tribunal, the arbitral functions shall be conferred upon a single arbitrator, who, unless otherwise stipulated, shall be named according to the rules established in the preceding article for the nomination of the third arbitrator.

ARTICLE 5.

The arbitral judgment is pronounced by a majority of votes; and any mention of the dissent of one arbitrator is excluded.

The judgment is signed by the president and by the secretary, or by the single arbitrator.

ARTICLE 6.

The arbitral judgment decides the case definitely and without appeal. Nevertheless, the tribunal or the arbitrator who has pronounced the judgment can, before it is executed, hear an application for revision in the following cases:

- 1st. If judgment has been based upon false or erroneous documents.
- 2nd. If the judgment is vitiated, in whole or in part, by an error in fact resulting from the acts or documents of the case.

ARTICLE 7.

Every difference which may arise between the parties respecting the interpretation or the execution of the judgment, shall be submitted to the same tribunal or arbitrator that has pronounced it.

ARTICLE 8.

The present treaty is written in the Italian, Spanish and French languages.

The high contracting parties declare that, in case of doubt, they will consider the French text as the correct one.

ARTICLE 9.

The present treaty shall be ratified and the ratifications shall be exchanged at Rome as soon as possible.

It shall endure for ten years from the date of exchange of ratifications. If it is not denounced six months before the date of expiration, it shall be understood as renewed for a new period of ten years, and so on.

In faith of which the plenipotentiaries have subscribed to the present treaty and have affixed thereto their seals.

Signed and sealed at The Hague, in duplicate, in the hall of the sessions of the Second Peace Conference, September 18, 1907.

(L. s.) ROQUE SAENZ-PEÑA.
(L. s.) LUIS M. DRAGO.
(L. s.) C. RODRIGUEZ LARRETA.
(L. s.) G. TORNIELLI.
(L. s.) G. POMPILJ.
(L. s.) G. FUSINATO.

JAPANESE LAW RELATING TO FOREIGNERS' RIGHT OF OWNERSHIP IN LAND.

Official Gazette, April 13, 1910.

ARTICLE I.

Foreigners domiciled or resident in Japan and foreign juridical persons registered therein shall enjoy the right of ownership in land, provided always that in the countries to which they belong such right is extended to Japanese subjects and Japanese juridical persons; and provided further in case of foreign juridical persons, that they shall obtain permission of the Minister for Home Affairs in acquiring such ownership.

The foregoing provisions shall be applicable only to foreigners and foreign juridical persons belonging to the countries to be designated by Imperial Ordinance.

ARTICLE II.

Foreigners and foreign juridical persons shall not be capable of enjoying the right of ownership in land in the following districts:

1. Hokkaido.
2. Formosa.
3. Karafuto.
4. Districts necessary for national defence.

The districts coming under No. 4 of the preceding paragraph shall be designated by Imperial Ordinance.

ARTICLE III.

In case a foreigner or a foreign juridical person owning land ceases to be capable of enjoying the right of ownership in land, the ownership of such land shall accrue to the fiscus unless he disposes of it within a period of one year.

In case a foreigner, by reason of losing his domicile or residence in Japan, or a foreign juridical person, on account of withdrawing his business establishment or office from Japan, ceases to be capable of enjoying the right of ownership in land, the period mentioned in the preceding paragraph shall be five years.

If any land owned by a foreigner or foreign juridical person is situated within the district designated, under the last paragraph of the preceding article, as necessary for national defence, and if, in consequence, the ownership of such land accrues to the fiscus, the damages thereby caused to the former shall be compensated.

In the case of failure to arrive at an accord with regard to the amount of compensation mentioned in the preceding paragraph, a suit may be brought before an ordinary court of justice.

Supplementary Provisions.

ARTICLE IV.

The date for putting the present law into force shall be determined by Imperial Ordinance.

ARTICLE V.

Edict No. 18 of the Sixth Year of Meiji is hereby abolished.

ARTICLE VI.

The present law shall not apply to land in Formosa actually owned, at the time of its coming into force, by foreigners or foreign juridical persons, unless and until the ownership of such land shall have accrued to Japanese subjects or Japanese juridical persons.

ARTICLE VII.

In Law No. 67 of the thirty-second year of Meiji, the words "incapable of enjoying the right of ownership in land" shall be added after the words "a foreigner, mortgagee of a land."

[The law above quoted shall read, as amended, as follows:

"In case a foreigner, mortgagee of a land, incapable of enjoying the right of ownership in land, demands a sale by auction for the sake of obtaining a higher price, he shall attach a statement to such demand, that he will bear the difference between the price obtained at auction and a sum one-tenth higher than the price already offered by the purchaser, if such sum or a higher sum is not obtained at the auction."]

ARTICLE VIII.

In Article 990 of the Civil Code and in Law No. 94 of the thirty-second year of Meiji, the words "has right which only a Japanese subject can hold" shall be amended to read —

"ceases, in consequence thereof, to be capable of enjoying the rights which he has possessed," and the words "to a Japanese subject" shall be suppressed.

[Article 990 (Paragraph 2) of the Civil Code as amended shall read:—

"If the person (head of a house) who loses his nationality ceases, in

consequence thereof, to be capable of enjoying the rights which he has possessed, those rights shall accrue to the heir of the house, unless the former head disposes of them within a period of one year." Law No. 94 of the thirty-second year of Meiji as amended shall read:—

"If a member of a house who loses his nationality ceases, in consequence thereof, to be capable of enjoying the rights which he has possessed, those rights shall accrue to the fiscus, unless he disposes of them within a period of one year."]

TREATY OF COMMERCE AND NAVIGATION BETWEEN GREAT BRITAIN AND JAPAN.¹

Signed at London, April 3, 1911.

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and His Majesty the Emperor of Japan, being desirous to strengthen the relations of amity and good understanding which happily exist between them and between their subjects, and to facilitate and extend the commercial relations between their two countries, have resolved to conclude a treaty of commerce and navigation for that purpose, and have named as their plenipotentiaries, that is to say:

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, the Right Honourable Sir Edward Grey, a Baronet of the United Kingdom, a Member of Parliament, His Majesty's Principal Secretary of State for Foreign Affairs;

And his Majesty the Emperor of Japan, his Excellency Monsieur Takaaki Kato, Jusammi, First Class of the Order of the Sacred Treasure, His Imperial Majesty's Ambassador Extraordinary and Plenipotentiary at the Court of St. James;

Who, after having communicated to each other their respective full powers, found to be in good and due form, have agreed upon the following articles:—

ARTICLE I.

The subjects of each of the high contracting parties shall have full liberty to enter, travel, and reside in the territories of the other, and, conforming themselves to the laws of the country:

¹ British Command Paper [Cd. 5556] Japan, No. 1 (1911).

1. Shall in all that relates to travel and residence be placed in all respects on the same footing as native subjects.

2. They shall have the right, equally with native subjects, to carry on their commerce and manufacture, and to trade in all kinds of merchandise of lawful commerce, either in person or by agents, singly or in partnerships with foreigners or native subjects.

3. They shall in all that relates to the pursuit of their industries, callings, professions, and educational studies be placed in all respects on the same footing as the subjects or citizens of the most favoured nation.

4. They shall be permitted to own or hire and occupy houses, manufactories, warehouses, shops, and premises which may be necessary for them, and to lease land for residential, commercial, industrial, and other lawful purposes, in the same manner as native subjects.

5. They shall, on condition of reciprocity, be at full liberty to acquire and possess every description of property, movable or immovable, which the laws of the country permit or shall permit the subjects or citizens of any other foreign country to acquire and possess, subject always to the conditions and limitations prescribed in such laws. They may dispose of the same by sale, exchange, gift, marriage, testament, or in any other manner, under the same conditions which are or shall be established with regard to native subjects. They shall also be permitted, on compliance with the laws of the country, freely to export the proceeds of the sale of their property and their goods in general without being subjected as foreigners to other or higher duties than those to which subjects of the country would be liable under similar circumstances.

6. They shall enjoy constant and complete protection and security for their persons and property; shall have free and easy access to the courts of justice and other tribunals in pursuit and defence of their claims and rights; and shall have full liberty, equally with native subjects, to choose and employ lawyers and advocates to represent them before such courts and tribunals; and generally shall have the same rights and privileges as native subjects in all that concerns the administration of justice.

7. They shall not be compelled to pay taxes, fees, charges, or contributions of any kind whatever, other or higher than those which are or may be paid by native subjects or the subjects or citizens of the most favoured nation.

8. And they shall enjoy a perfect equality of treatment with native

subjects in all that relates to facilities for warehousing under bond, bounties, and drawbacks.

ARTICLE II.

The subjects of each of the high contracting parties in the territories of the other shall be exempted from all compulsory military services, whether in the army, navy, national guard, or militia; from all contributions imposed in lieu of personal service; and from all forced loans and military requisitions or contributions unless imposed on them equally with native subjects as owners, lessees, or occupiers of immovable property.

In the above respects the subjects of each of the high contracting parties shall not be accorded in the territories of the other less favourable treatment than that which is or may be accorded to subjects or citizens of the most favoured nation.

ARTICLE III.

The dwellings, warehouses, manufactories, and shops of the subjects of each of the high contracting parties in the territories of the other, and all premises appertaining thereto used for lawful purposes, shall be respected. It shall not be allowable to proceed to make a domiciliary visit to, or a search of, any such buildings and premises, or to examine or inspect books, papers, or accounts, except under the conditions and with the forms prescribed by the laws for native subjects.

ARTICLE IV.

Each of the high contracting parties may appoint consuls-general, consuls, vice-consuls, and consular agents in all the ports, cities, and places of the other, except in those where it may not be convenient to recognize such officers. This exception, however, shall not be made in regard to one of the high contracting parties without being made likewise in regard to all other Powers.

Such consuls-general, consuls, vice-consuls, and consular agents, having received exequaturs or other sufficient authorizations from the government of the country to which they are appointed, shall have the right to exercise their functions, and to enjoy the privileges, exemptions, and immunities which are or may be granted to the consular officers of the most favoured nation. The government issuing exequaturs or other authorizations has the right in its discretion to cancel the same on explaining the reasons for which it thought proper to do so.

1. Shall in all that relates to travel and residence be placed in all respects on the same footing as native subjects.

2. They shall have the right, equally with native subjects, to carry on their commerce and manufacture, and to trade in all kinds of merchandise of lawful commerce, either in person or by agents, singly or in partnerships with foreigners or native subjects.

3. They shall in all that relates to the pursuit of their industries, callings, professions, and educational studies be placed in all respects on the same footing as the subjects or citizens of the most favoured nation.

4. They shall be permitted to own or hire and occupy houses, manufactories, warehouses, shops, and premises which may be necessary for them, and to lease land for residential, commercial, industrial, and other lawful purposes, in the same manner as native subjects.

5. They shall, on condition of reciprocity, be at full liberty to acquire and possess every description of property, movable or immovable, which the laws of the country permit or shall permit the subjects or citizens of any other foreign country to acquire and possess, subject always to the conditions and limitations prescribed in such laws. They may dispose of the same by sale, exchange, gift, marriage, testament, or in any other manner, under the same conditions which are or shall be established with regard to native subjects. They shall also be permitted, on compliance with the laws of the country, freely to export the proceeds of the sale of their property and their goods in general without being subjected as foreigners to other or higher duties than those to which subjects of the country would be liable under similar circumstances.

6. They shall enjoy constant and complete protection and security for their persons and property; shall have free and easy access to the courts of justice and other tribunals in pursuit and defence of their claims and rights; and shall have full liberty, equally with native subjects, to choose and employ lawyers and advocates to represent them before such courts and tribunals; and generally shall have the same rights and privileges as native subjects in all that concerns the administration of justice.

7. They shall not be compelled to pay taxes, fees, charges, or contributions of any kind whatever, other or higher than those which are or may be paid by native subjects or the subjects or citizens of the most favoured nation.

8. And they shall enjoy a perfect equality of treatment with native

subjects in all that relates to facilities for warehousing under bond, bounties, and drawbacks.

ARTICLE II.

The subjects of each of the high contracting parties in the territories of the other shall be exempted from all compulsory military services, whether in the army, navy, national guard, or militia; from all contributions imposed in lieu of personal service; and from all forced loans and military requisitions or contributions unless imposed on them equally with native subjects as owners, lessees, or occupiers of immovable property.

In the above respects the subjects of each of the high contracting parties shall not be accorded in the territories of the other less favourable treatment than that which is or may be accorded to subjects or citizens of the most favoured nation.

ARTICLE III.

The dwellings, warehouses, manufactories, and shops of the subjects of each of the high contracting parties in the territories of the other, and all premises appertaining thereto used for lawful purposes, shall be respected. It shall not be allowable to proceed to make a domiciliary visit to, or a search of, any such buildings and premises, or to examine or inspect books, papers, or accounts, except under the conditions and with the forms prescribed by the laws for native subjects.

ARTICLE IV.

Each of the high contracting parties may appoint consuls-general, consuls, vice-consuls, and consular agents in all the ports, cities, and places of the other, except in those where it may not be convenient to recognize such officers. This exception, however, shall not be made in regard to one of the high contracting parties without being made likewise in regard to all other Powers.

Such consuls-general, consuls, vice-consuls, and consular agents, having received exequaturs or other sufficient authorizations from the government of the country to which they are appointed, shall have the right to exercise their functions, and to enjoy the privileges, exemptions, and immunities which are or may be granted to the consular officers of the most favoured nation. The government issuing exequaturs or other authorizations has the right in its discretion to cancel the same on explaining the reasons for which it thought proper to do so.

ARTICLE V.

In case of the death of a subject of one of the high contracting parties in the territories of the other, without leaving at the place of his decease any person entitled by the laws of his country to take charge of and administer the estate, the competent consular officer of the state to which the deceased belonged shall, upon fulfilment of the necessary formalities, be empowered to take custody of and administer the estate in the manner and under the limitations prescribed by the law of the country in which the property of the deceased is situated.

The foregoing provision shall also apply in case of a subject of one of the high contracting parties dying outside the territories of the other, but possessing property therein without leaving any person there entitled to take charge of and administer the estate.

It is understood that in all that concerns the administration of the estates of deceased persons, any right, privilege, favour, or immunity which either of the high contracting parties has actually granted, or may hereafter grant, to the consular officers of any other foreign state shall be extended immediately and unconditionally to the consular officers of the other high contracting party.

ARTICLE VI.

There shall be between the territories of the two high contracting parties reciprocal freedom of commerce and navigation. The subjects of each of the high contracting parties shall have liberty freely to come with their ships and cargoes to all places, ports, and rivers in the territories of the other, which are or may be opened to foreign commerce and conforming themselves to the laws of the country to which they thus come, shall enjoy the same rights, privileges, liberties, favours, immunities, and exemptions in matters of commerce and navigation as are or may be enjoyed by native subjects.

ARTICLE VII.

Articles, the produce or manufacture of the territories of one high contracting party, upon importation into the territories of the other, from whatever place arriving, shall enjoy the lowest rates of customs duty applicable to similar articles of any other foreign origin.

No prohibition or restriction shall be maintained or imposed on the importation of any article, the produce or manufacture of the territories of either of the high contracting parties, into the territories of the other,

from whatever place arriving, which shall not equally extend to the importation of the like articles, being the produce or manufacture of any other foreign country. This provision is not applicable to the sanitary or other prohibitions occasioned by the necessity of securing the safety of persons, or of cattle, or of plants useful to agriculture.

ARTICLE VIII.

The articles, the produce or manufacture of the United Kingdom, enumerated in Part I of the Schedule annexed ¹ to this treaty, shall not, on importation into Japan, be subjected to higher customs duties than those specified in the Schedule.

The articles, the produce or manufacture of Japan, enumerated in Part II of the Schedule annexed ² to this treaty, shall be free of duty on importation into the United Kingdom.

Provided that if at any time after the expiration of one year from the date this treaty takes effect either of the high contracting parties desires to make a modification in the Schedule, it may notify its desire to the other high contracting party, and thereupon negotiations for the purpose shall be entered into forthwith. If the negotiations are not brought to a satisfactory conclusion within six months from the date of notification, the high contracting party which gave the notification may, within one month, give six months' notice to abrogate the present article, and on the expiration of such notice the present article shall cease to have effect, without prejudice to the other stipulations of this treaty.

ARTICLE IX.

Articles, the produce or manufacture of the territories of one of the high contracting parties, exported to the territories of the other, shall not be subjected on export to other or higher charges than those paid on the like articles exported to any other foreign country. Nor shall any prohibition or restriction be imposed on the exportation of any article from the territories of either of the two high contracting parties to the territories of the other which shall not equally extend to the exportation of the like article to any other foreign country.

ARTICLE X.

Articles, the produce or manufacture of the territories of one of the high contracting parties, passing in transit through the territories of the

¹ Omitted.

² Omitted.

other, in conformity with the laws of the country, shall be reciprocally free from all transit duties, whether they pass direct, or whether during transit they are unloaded, warehoused, and reloaded.

ARTICLE XI.

No internal duties levied for the benefit of the state, local authorities, or corporations which affect, or may affect, the production, manufacture, or consumption of any article in the territories of either of the high contracting parties shall for any reason be a higher or more burdensome charge on articles, the produce or manufacture of the territories of the other than on similar articles of native origin.

The produce or manufacture of the territories of either of the high contracting parties imported into the territories of the other, and intended for warehousing or transit, shall not be subjected to any internal duty.

ARTICLE XII.

Merchants and manufacturers, subjects of one of the high contracting parties, as well as merchants and manufacturers domiciled and exercising their commerce and industries in the territories of such party, may, in the territories of the other, either personally or by means of commercial travellers, make purchases or collect orders, with or without samples, and such merchants, manufacturers, and their commercial travellers, while so making purchases and collecting orders, shall, in the matter of taxation and facilities, enjoy the most-favoured-nation treatment.

Articles imported as samples for the purposes above mentioned shall, in each country, be temporarily admitted free of duty on compliance with the customs regulations and formalities established to assure their re-exportation or the payment of the prescribed customs duties if not re-exported within the period allowed by law. But the foregoing privilege shall not extend to articles which, owing to their quantity or value, can not be considered as samples, or which, owing to their nature, could not be identified upon re-exportation. The determination of the question of the qualification of samples for duty-free admission rests in all cases exclusively with the competent authorities of the place where the importation is effected.

ARTICLE XIII.

The marks, stamps, or seals placed upon the samples mentioned in the preceding article by the customs authorities of one country at the

time of exportation, and the officially attested list of such samples containing a full description thereof issued by them, shall be reciprocally accepted by the customs officials of the other as establishing their character as samples and exempting them from inspection except so far as may be necessary to establish that the samples produced are those enumerated in the list. The customs authorities of either country may, however, affix a supplementary mark to such samples in special cases where they may think this precaution necessary.

ARTICLE XIV.

The chambers of commerce, as well as such other trade associations and other recognized commercial associations in the territories of the high contracting parties as may be authorized in this behalf, shall be mutually accepted as competent authorities for issuing any certificates that may be required for commercial travellers.

ARTICLE XV.

Limited liability and other companies and associations, commercial, industrial, and financial, already or hereafter to be organized in accordance with the laws of either high contracting party, and registered in the territories of such party, are authorized, in the territories of the other, to exercise their rights and appear in the courts either as plaintiffs or defendants, subject to the laws of such other party.

ARTICLE XVI.

Each of the high contracting parties shall permit the importation or exportation of all merchandise which may be legally imported or exported, and also the carriage of passengers from or to their respective territories, upon the vessels of the other; and such vessels, their cargoes, and passengers, shall enjoy the same privileges as, and shall not be subjected to any other or higher duties or charges than, national vessels and their cargoes and passengers.

ARTICLE XVII.

In all that regards the stationing, loading and unloading of vessels in the ports, docks, roadsteads, and harbours of the high contracting parties, no privileges or facilities shall be granted by either party to national vessels which are not equally, in like cases, granted to the vessels

of the other country; the intention of the high contracting parties being that in these respects also the vessels of the two countries shall be treated on the footing of perfect equality.

ARTICLE XVIII.

All vessels which according to British law are to be deemed British vessels, and all vessels which according to Japanese law are to be deemed Japanese vessels, shall, for the purposes of this treaty, be deemed British and Japanese vessels respectively.

ARTICLE XIX.

No duties of tonnage, harbour, pilotage, lighthouse, quarantine, or other analogous duties or charges of whatever nature, or under whatever denomination, levied in the name or for the profit of government, public functionaries, private individuals, corporations or establishments of any kind, shall be imposed in the ports of either country upon the vessels of the other which shall not equally, under the same conditions, be imposed in like cases on national vessels in general or vessels of the most favoured nation. Such equality of treatment shall apply to the vessels of either country from whatever place they may arrive and whatever may be their destination.

ARTICLE XX.

Vessels charged with performance of regular scheduled postal service of one of the high contracting parties shall enjoy in the territorial waters of the other the same special facilities, privileges, and immunities as are granted to like vessels of the most favoured nation.

ARTICLE XXI.

The coasting trade of the high contracting parties is excepted from the provisions of the present treaty, and shall be regulated according to the laws of the United Kingdom and Japan respectively. It is, however, understood that the subjects and vessels of either high contracting party shall enjoy in this respect most-favoured-nation treatment in the territories of the other.

British and Japanese vessels may, nevertheless, proceed from one port to another, either for the purpose of landing the whole or part of their passengers or cargoes brought from abroad, or of taking on board the whole or part of their passengers or cargoes for a foreign destination.

It is also understood that, in the event of the coasting trade of either country being exclusively reserved to national vessels, the vessels of the other country, if engaged in trade to or from places not within the limits of the coasting trade so reserved, shall not be prohibited from the carriage between two ports of the former country of passengers holding through tickets, or merchandise consigned on through bills of lading to or from places not within the above-mentioned limits, and while engaged in such carriage these vessels and their cargoes shall enjoy the full privileges of this treaty.

ARTICLE XXII.

If any seaman should desert from any ship belonging to either of the high contracting parties in the territorial waters of the other the local authorities shall, within the limits of law, be bound to give every assistance in their power for the recovery of such deserter, on application to that effect being made to them by the competent consular officer of the country to which the ship of the deserter may belong, accompanied by an assurance that all expenses connected therewith will be repaid.

It is understood that this stipulation shall not apply to the subjects of the country where the desertion takes place.

ARTICLE XXIII.

Any vessel of either of the high contracting parties which may be compelled, by stress of weather or by accident, to take shelter in a port of the other shall be at liberty to refit therein, to procure all necessary stores, and to put to sea again, without paying any dues other than such as would be payable in the like case by a national vessel. In case, however, the master of a merchant-vessel should be under the necessity of disposing of a part of his merchandise in order to defray the expenses, he shall be bound to conform to the regulations and tariffs of the place to which he may have come.

If any vessel of one of the high contracting parties should run aground or be wrecked upon the coasts of the other, such vessel, and all parts thereof, and all furniture and appurtenances belonging thereunto, and all goods and merchandise saved therefrom, including any which may have been cast into the sea, or the proceeds thereof, if sold, as well as all papers found on board such stranded or wrecked vessel, shall be given up to the owners or their agents when claimed by them. If there are

no such owners or agents on the spot, then the same shall be delivered to the British or Japanese consular officer in whose district the wreck or stranding may have taken place upon being claimed by him within the period fixed by the laws of the country, and such consular officer, owners, or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses which would have been payable in the like case of a wreck or stranding of a national vessel.

The high contracting parties agree, moreover, that merchandise saved shall not be subjected to the payment of any customs duty unless cleared for internal consumption.

In the case either of a vessel being driven in by stress of weather, run aground, or wrecked, the respective consular officers shall, if the owner or master or other agent of the owner is not present, or is present and requires it, be authorized to interpose in order to afford the necessary assistance to their fellow-countrymen.

ARTICLE XXIV.

The high contracting parties agree that, in all that concerns commerce, navigation, and industry, any favour, privilege, or immunity which either high contracting party has actually granted, or may hereafter grant, to the ships, subjects, or citizens of any other foreign state shall be extended immediately and unconditionally to the ships or subjects of the other high contracting party, it being their intention that the commerce, navigation, and industry of each country shall be placed in all respects on the footing of the most favoured nation.

ARTICLE XXV.

The stipulations of this treaty do not apply to tariff concessions granted by either of the high contracting parties to contiguous states solely to facilitate frontier traffic within a limited zone on each side of the frontier, or to the treatment accorded to the produce of the national fisheries of the high contracting parties or to special tariff favours granted by Japan in regard to fish and other aquatic products taken in the foreign waters in the vicinity of Japan.

ARTICLE XXVI.

The stipulations of the present treaty shall not be applicable to any of His Britannic Majesty's dominions, colonies, possessions, or protec-

torates beyond the seas, unless notice of adhesion shall have been given on behalf of any such dominion, colony, possession, or protectorate by His Britannic Majesty's representative at Tokio before the expiration of two years from the date of the exchange of the ratifications of the present treaty.

ARTICLE XXVII.

The present treaty shall be ratified, and the ratifications exchanged at Tokio as soon as possible. It shall enter into operation on the 17th July, 1911, and remain in force until the 16th July, 1923. In case neither of the high contracting parties shall have given notice to the other twelve months before the expiration of the said period, of its intention to terminate the treaty, it shall continue operative until the expiration of one year from the date on which either of the high contracting parties shall have denounced it.

As regards the British dominions, colonies, possessions, and protectorates to which the present treaty may have been made applicable in virtue of Article 26, however, either of the high contracting parties shall have the right to terminate it separately at any time on giving twelve months' notice to that effect.

It is understood that the stipulations of the present and of the preceding article referring to British dominions, colonies, possessions, and protectorates apply also to the Island of Cyprus.

In witness whereof the respective plenipotentiaries have signed the present treaty and have affixed thereto the seal of their arms.

Done at London, in duplicate, this 3rd day of April, 1911.

(L. S.) E. GREY.

(L. S.) TAKAAKI KATO.

TREATY OF COMMERCE AND NAVIGATION BETWEEN JAPAN AND GREAT BRITAIN.¹

*Signed at London, 16th day of 7th month, 27th year of Meiji (1894);
ratifications exchanged at Tokio, 25th day of 8th month, 27th year
Meiji (1894).*

His Majesty the Emperor of Japan, and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, being equally desirous of maintaining the relations of good understand-

¹ Treaties and Conventions between the Empire of Japan and other Powers, 1899.

ing which happily exist between them, by extending and increasing the intercourse between their respective states, and being convinced that this object cannot better be accomplished than by revising the treaties hitherto existing between the two countries, have resolved to complete such a revision, based upon principles of equity and mutual benefit, and, for that purpose, have named as their plenipotentiaries, that is to say:

His Majesty the Emperor of Japan, Viscount Aoki Siuzo, Junii, First Class of the Imperial Order of the Sacred Treasure, His Majesty's Envoy Extraordinary and Minister Plenipotentiary at the Court of St. James;

And Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, the Right Honourable John, Earl of Kimberly, Knight of the Most Noble Order of the Garter, &c., Her Britannic Majesty's Secretary of State for Foreign Affairs;

Who, after having communicated to each other their full powers found to be in good and due form, have agreed upon and concluded the following articles:

ARTICLE I.

The subjects of each of the two high contracting parties shall have full liberty to enter, travel or reside in any part of the dominions and possessions of the other contracting party, and shall enjoy full and perfect protection for their persons and property.

They shall have free and easy access to the courts of justice in pursuit and defence of their rights; they shall be at liberty equally with native subjects to choose and employ lawyers, advocates and representatives to pursue and defend their rights before such courts, and in all other matters connected with the administration of justice they shall enjoy all the rights and privileges enjoyed by native subjects.

In whatever relates to rights of residence and travel; to the possession of goods and effects of any kind; to the succession to personal estate by will or otherwise, and the disposal of property of any sort in any manner whatsoever, which they may lawfully acquire, the subjects of each contracting party shall enjoy in the dominions and possessions of the other the same privileges, liberties and rights, and shall be subject to no higher imposts or charges in these respects than native subjects, or subjects or citizens of the most favoured nation. The subjects of each of the contracting parties shall enjoy in the dominions and possessions of the other entire liberty of conscience, and, subject to the laws, ordinances and regulations, shall enjoy the right of private or public exercise of their worship, and also the right of burying their respective countrymen

according to their religious customs, in such suitable and convenient places as may be established and maintained for that purpose.

They shall not be compelled, under any pretext whatsoever, to pay any charges or taxes other or higher than those that are, or may be, paid by native subjects, or subjects or citizens of the most favoured nation.

ARTICLE II.

The subjects of either of the contracting parties residing in the dominions and possessions of the other shall be exempted from all compulsory military service whatsoever, whether in the army, navy, national guard or militia; from all contributions imposed in lieu of personal service, and from all forced loans or military exactions or contributions.

ARTICLE III.

There shall be reciprocal freedom of commerce and navigation between the dominions and possessions of the two high contracting parties.

The subjects of each of the high contracting parties may trade in any part of the dominions and possessions of the other by wholesale or retail in all kinds of produce, manufactures and merchandise of lawful commerce, either in person or by agents, singly or in partnerships with foreigners or native subjects; and they may there own or hire and occupy the houses, manufactories, warehouses, shops, and premises which may be necessary for them, and lease land for residential and commercial purposes, conforming themselves to the laws, police and customs regulations of the country like native subjects.

They shall have liberty to come with their ships and cargoes to all places, ports and rivers in the dominions and possessions of the other, which are, or may be, opened to foreign commerce, and shall enjoy, respectively, the same treatment in matters of commerce and navigation as native subjects, or subjects or citizens of the most favoured nation, without having to pay taxes, imposts or duties, of whatever nature or under whatever denomination, levied in the name or for the profit of the government, public functionaries, private individuals, corporations or establishments of any kind, other or greater than those paid by native subjects, or subjects or citizens of the most favoured nation, subject always to the laws, ordinances and regulations of each country.

ARTICLE IV.

The dwellings, manufactories, warehouses and shops of the subjects of each of the contracting parties in the dominions and possessions of

the other, and all premises appertaining thereto destined for purposes of residence or commerce, shall be respected.

It shall not be allowable to proceed to make a search of, or a domiciliary visit to, such dwellings and premises, or to examine or inspect books, papers or accounts, except under the conditions and with the forms prescribed by the laws, ordinances and regulations for subjects of the country.

ARTICLE V.

No other or higher duties shall be imposed on the importation into the dominions and possessions of Her Britannic Majesty of any article, the produce or manufacture of the dominions and possessions of His Majesty the Emperor of Japan, from whatever place arriving; and no other or higher duties shall be imposed on the importation into the dominions and possessions of His Majesty the Emperor of Japan of any article, the produce or manufacture of the dominions and possessions of Her Britannic Majesty, from whatever place arriving, than on the like article produced or manufactured in any other foreign country; nor shall any prohibition be maintained or imposed on the importation of any article, the produce or manufacture of the dominions and possessions of either of the high contracting parties into the dominions and possessions of the other, from whatever place arriving, which shall not equally extend to the importation of the like article being the produce or manufacture of any other country. This last provision is not applicable to the sanitary and other prohibitions occasioned by the necessity of protecting the safety of persons or of cattle or of plants useful to agriculture.

ARTICLE VI.

No other or higher duties or charges shall be imposed in the dominions and possessions of either of the high contracting parties on the exportation of any article to the dominions and possessions of the other than such as are, or may be, payable on the exportation of the like article to any other foreign country; nor shall any prohibition be imposed on the exportation of any article from the dominions and possessions of either of the two contracting parties to the dominions and possessions of the other, which shall not equally extend to the exportation of the like article to any other country.

according to their religious customs, in such suitable and convenient places as may be established and maintained for that purpose.

They shall not be compelled, under any pretext whatsoever, to pay any charges or taxes other or higher than those that are, or may be, paid by native subjects, or subjects or citizens of the most favoured nation.

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They shall have liberty to come with their ships and cargoes to all places, ports and rivers in the dominions and possessions of the other, which are, or may be, opened to foreign commerce, and shall enjoy, respectively, the same treatment in matters of commerce and navigation as native subjects, or subjects or citizens of the most favoured nation, without having to pay taxes, imposts or duties, of whatever nature or under whatever denomination, levied in the name or for the profit of the government, public functionaries, private individuals, corporations or establishments of any kind, other or greater than those paid by native subjects, or subjects or citizens of the most favoured nation, subject always to the laws, ordinances and regulations of each country.

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ARTICLE VII.

The subjects of each of the high contracting parties shall enjoy in the dominions and possessions of the other exemption from all transit duties, and a perfect equality of treatment with native subjects in all that relates to warehousing, bounties, facilities and drawbacks.

ARTICLE VIII.

All articles which are, or may be, legally imported into the ports of the dominions and possessions of His Majesty the Emperor of Japan in Japanese vessels may likewise be imported into those ports in British vessels, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in Japanese vessels; and, reciprocally, all articles, which are, or may be, legally imported into the ports of the dominions and possessions of Her Britannic Majesty in British vessels may likewise be imported into those ports in Japanese vessels, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in British vessels. Such reciprocal equality of treatment shall take effect without distinction, whether such articles come directly from the place of origin or from any other place.

In the same manner there shall be perfect equality of treatment in regard to exportation, so that the same export duties shall be paid and the same bounties and drawbacks allowed in the dominions and possessions of either of the high contracting parties on the exportation of any article which is, or may be, legally exported therefrom, whether such exportation shall take place in Japanese or in British vessels, and whatever may be the place of destination, whether a port of either of the contracting parties or of any third Power.

ARTICLE IX.

No duties of tonnage, harbour, pilotage, lighthouse, quarantine or other similar or corresponding duties of whatever nature or under whatever denomination, levied in the name, or for the profit, of the government, public functionaries, private individuals, corporations or establishments of any kind, shall be imposed in the ports of the dominions and possessions of either country upon the vessels of the other country, which shall not equally and under the same conditions be imposed in the like cases on national vessels in general or vessels of the most favoured nation. Such equality of treatment shall apply reciprocally to the respective

vessels, from whatever port or place they may arrive, and whatever may be their place of destination.

ARTICLE X.

In all that regards the stationing, loading and unloading of vessels in the ports, basins, docks, roadsteads, harbours or rivers of the dominions and possessions of the two countries, no privilege shall be granted to national vessels, which shall not be equally granted to vessels of the other country; the intention of the high contracting parties being that in this respect also the respective vessels shall be treated on the footing of perfect equality.

ARTICLE XI.

The coasting trade of both the high contracting parties is excepted from the provisions of the present treaty, and shall be regulated according to the laws, ordinances and regulations of Japan and of Great Britain, respectively. It is, however, understood that Japanese subjects in the dominions and possessions of Her Britannic Majesty and British subjects in the dominions and possessions of His Majesty the Emperor of Japan, shall enjoy in this respect the rights which are, or may be, granted under such laws, ordinances and regulations to the subjects or citizens of any other country.

A Japanese vessel laden in a foreign country with cargo destined for two or more ports in the dominions and possessions of Her Britannic Majesty, and a British vessel laden in a foreign country with cargo destined for two or more ports in the dominions and possessions of His Majesty the Emperor of Japan, may discharge a portion of her cargo at one port, and continue her voyage to the other port or ports of destination where foreign trade is permitted, for the purpose of landing the remainder of her original cargo there, subject always to the laws and custom-house regulations of the two countries.

The Japanese Government, however, agrees to allow British vessels to continue, as heretofore, for the period of the duration of the present treaty, to carry cargo between the existing open ports of the empire, excepting to or from the ports of Osaka, Niigata and Ebisuminato.

ARTICLE XII.

Any ship of war or merchant-vessel of either of the high contracting parties which may be compelled by stress of weather, or by reason of

any other distress, to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary supplies and to put to sea again, without paying any dues other than such as would be payable by national vessels. In case, however, the master of a merchant-vessel should be under the necessity of disposing of a part of his cargo in order to defray the expenses, he shall be bound to conform to the regulations and tariffs of the place to which he may have come.

If any ship of war or merchant-vessel of one of the contracting parties should run aground or be wrecked upon the coasts of the other, the local authorities shall inform the consul-general, consul, vice-consul or consular agent of the district of the occurrence, or if there be no such consular officer, they shall inform the consul-general, consul, vice-consul or consular agent of the nearest district.

All proceedings relative to the salvage of Japanese vessels wrecked or cast on shore in the territorial waters of Her Britannic Majesty shall take place in accordance with the laws, ordinances and regulations of Great Britain, and, reciprocally, all measures of salvage relative to British vessels wrecked or cast on shore in the territorial waters of His Majesty the Emperor of Japan shall take place in accordance with the laws, ordinances and regulations of Japan.

Such stranded or wrecked ship or vessel, and all parts thereof, and all furnitures and appurtenances belonging thereunto, and all goods and merchandise saved therefrom, including those which may have been cast into the sea, or the proceeds thereof, if sold, as well as all papers found on board such stranded or wrecked ship or vessel, shall be given up to the owners or their agents, when claimed by them. If such owners or agents are not on the spot, the same shall be delivered to the respective consuls-general, consuls, vice-consuls or consular agents upon being claimed by them within the period fixed by the laws of the country and such consular officers, owners or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses which would have been payable in the case of a wreck of a national vessel.

The goods and merchandise saved from the wreck shall be exempt from all the duties of the customs, unless cleared for consumption, in which case they shall pay the ordinary duties.

When a ship or vessel belonging to the subjects of one of the contracting parties is stranded or wrecked in the territories of the other, the respective consuls-general, consuls, vice-consuls and consular agents shall

be authorized, in case the owner or master, or other agent of the owner, is not present, to lend their official assistance in order to afford the necessary assistance to the subjects of the respective states. The same rule shall apply in case the owner, master or other agent is present, but requires such assistance to be given.

ARTICLE XIII.

All vessels which, according to Japanese law, are to be deemed Japanese vessels, and all vessels which, according to British law, are to be deemed British vessels, shall, for the purposes of this treaty, be deemed Japanese and British vessels, respectively.

ARTICLE XIV.

The consuls-general, consuls and consular agents of each of the contracting parties, residing in the dominions and possessions of the other, shall receive from the local authorities such assistance as can by law be given to them for the recovery of deserters from the vessels of their respective countries.

It is understood that this stipulation shall not apply to the subjects of the country where the desertion takes place.

ARTICLE XV.

The high contracting parties agree that, in all that concerns commerce and navigation, any privilege, favour or immunity which either contracting party has actually granted, or may hereafter grant, to the government, ships, subjects or citizens of any other state, shall be extended immediately and unconditionally to the government, ships, subjects or citizens of the other contracting party; it being their intention that the trade and navigation of each country shall be placed in all respects by the other on the footing of the most favoured nation.

ARTICLE XVI.

Each of the high contracting parties may appoint consuls-general, consuls, vice-consuls, pro-consuls and consular agents in all the ports, cities and places of the other, except in those where it may not be convenient to recognize such officers.

This exception, however, shall not be made in regard to one of the contracting parties without being made likewise in regard to every other Power.

The consuls-general, consuls, vice-consuls, pro-consuls and consular agents may exercise all functions, and shall enjoy all privileges, exemptions and immunities, which are, or may hereafter be, granted to consular officers of the most favoured nation.

ARTICLE XVII.

The subjects of each of the high contracting parties shall enjoy in the dominions and possessions of the other the same protection as native subjects in regard to patents, trade-marks and designs, upon fulfilment of the formalities prescribed by law.

ARTICLE XVIII.

Her Britannic Majesty's Government, so far as they are concerned, give their consent to the following arrangement:

The several foreign Settlements in Japan shall be incorporated with the respective Japanese Communes, and shall thenceforth form part of the general municipal system of Japan.

The competent Japanese authorities shall thereupon assume all municipal obligations and duties in respect thereof, and the common funds and property, if any, belonging to such Settlements, shall at the same time be transferred to the said Japanese authorities.

When such incorporation takes place, existing leases in perpetuity under which property is now held in the said Settlements shall be confirmed, and no conditions whatsoever other than those contained in such existing leases shall be imposed in respect of such property. It is, however, understood that the consular authorities mentioned in the same are in all cases to be replaced by the Japanese authorities.

All lands which may previously have been granted by the Japanese Government free of rent for the public purposes of the said Settlements shall, subject to the right of eminent domain, be permanently reserved free of all taxes and charges for the public purposes for which they were originally set apart.

ARTICLE XIX.

The stipulations of the present treaty shall be applicable, so far as the laws permit, to all the colonies and foreign possessions of Her Britannic Majesty, excepting to those hereinafter named, that is to say, except to:

India.

The Dominion of Canada.

Newfoundland.
The Cape.
Natal.
New South Wales.
Victoria.
Queensland.
Tasmania.
South Australia
Western Australia.
New Zealand.

Provided always that the stipulations of the present treaty shall be made applicable to any of the above-named colonies or foreign possessions, on whose behalf notice to that effect shall have been given to the Japanese Government by Her Britannic Majesty's representative at Tokio within two years from the date of the exchange of ratifications of the present treaty.

ARTICLE XX.

The present treaty shall, from the date it comes into force, be substituted in place of the conventions, respectively of the 23rd day of the 8th month of the 7th year of Kayei, corresponding to the 14th day of October, 1854, and of the 13th day of the 5th month of the 2nd year of Keiou, corresponding to the 25th day of June, 1866, the treaty of the 18th day of the 7th month of the 5th year of Ansei, corresponding to the 26th day of August, 1858, and all arrangements and agreements subsidiary thereto concluded or existing between the high contracting parties; and from the same date such conventions, treaty, arrangements and agreements shall cease to be binding, and, in consequence, the jurisdiction then exercised by British courts in Japan, and all the exceptional privileges, exemptions and immunities then enjoyed by British subjects as a part of, or appurtenant to, such jurisdiction, shall absolutely and without notice cease and determine, and thereafter all such jurisdiction shall be assumed and exercised by Japanese courts.

ARTICLE XXI.

The present treaty shall not take effect until at least five years after its signature. It shall come into force one year after His Imperial Japanese Majesty's Government shall have given notice to Her Britannic Majesty's Government of its wish to have the same brought into opera-

tion. Such notice may be given at any time after the expiration of four years from the date thereof. The treaty shall remain in force for the period of twelve years from the date it goes into operation.

Either high contracting party shall have the right, at any time, after eleven years shall have elapsed from the date this treaty takes effect, to give notice to the other of its intention to terminate the same, and at the expiration of twelve months after such notice is given this treaty shall wholly cease and determine.

ARTICLE XXII.

The present treaty shall be ratified, and the ratifications thereof shall be exchanged at Tokio as soon as possible, and not later than six months from the present date.

In witness whereof, the respective plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done at London, in duplicate, this sixteenth day of the seventh month of the twenty-seventh year of Meiji.

(L. s.)	AOKI.
(L. s.)	KIMBERLEY.

Protocol.

The Government of His Majesty the Emperor of Japan and the Government of Her Majesty the Queen of Great Britain and Ireland and Empress of India, deeming it advisable in the interests of both countries to regulate certain special matters of mutual concern, apart from the treaty of commerce and navigation signed this day, have, through their respective plenipotentiaries, agreed upon the following stipulations:

1. It is agreed by the contracting parties that one month after the exchange of the ratifications of the treaty of commerce and navigation signed this day, the import tariff hereunto annexed¹ shall, subject to the provisions of Article XXIII of the treaty of 1858 at present subsisting between the contracting parties, as long as the said treaty remains in force and thereafter, subject to the provisions of Articles V and XV of the treaty signed this day, be applicable to the articles therein enumerated, being the growth, produce or manufacture of the dominions and possessions of Her Britannic Majesty, upon importation into Japan. But nothing contained in this protocol, or the tariff hereunto annexed shall be held to limit or qualify the right of the Japanese Government to restrict or to prohibit the importation of adulterated drugs, medicines,

¹ Omitted.

food or beverages; indecent or obscene prints, paintings, books, cards, lithographs or other engravings, photographs, or any other indecent or obscene articles; articles in violation of patent, trade-mark or copyright laws of Japan; or any other article which, for sanitary reasons or in view of public security or morals, might offer any danger.

The *ad valorem* duties established by the said tariff shall, so far as may be deemed practicable, be converted into specific duties by a supplementary convention, which shall be concluded between the two governments within six months from the date of this protocol; the medium prices, as shown by the Japanese customs returns during the six calendar months preceding the date of the present protocol, with the addition of the cost of insurance and transportation from the place of purchase, production or fabrication, to the port of discharge, as well as commission, if any, shall be taken as the basis for such conversion. In the event of the supplementary convention not having come into force before the expiration of the period fixed for the said tariff to take effect, *ad valorem* duties in conformity with the rule recited at the end of the said tariff shall, in the meantime, be levied.

In respect of articles not enumerated in the said tariff, the general statutory tariff of Japan for the time being in force shall, from the same time, apply, subject as aforesaid to the provisions of Article XXIII of the treaty of 1858 and Articles V and XV of the treaty signed this day, respectively.

From the date the tariffs aforesaid take effect, the import tariff now in operation in Japan in respect of goods and merchandise imported into Japan by British subjects shall cease to be binding.

In all other respects the stipulations of the existing treaties and conventions shall be maintained unconditionally until the time when the treaty of commerce and navigation signed this day comes into force.

2. The Japanese Government, pending the opening of the country to British subjects, agrees to extend the existing passport system in such a manner as to allow British subjects, on the production of a certificate of recommendation from the British representative in Tokio, or from any of Her Majesty's consuls at the open ports in Japan, to obtain upon application passports available for any part of the country, and for any period not exceeding twelve months, from the Imperial Japanese Foreign Office in Tokio, or from the chief authorities in the Prefecture in which an open port is situated; it being understood that the existing rules and regulations governing British subjects who visit the interior of the empire are to be maintained.

3. The Japanese Government undertakes, before the cessation of British consular jurisdiction in Japan, to join the international conventions for the protection of industrial property and copyright.

4. It is understood between the two high contracting parties that, if Japan think it necessary at any time to levy an additional duty on the production or manufacture of refined sugar in Japan, an increased customs duty equivalent in amount may be levied on British refined sugar when imported into Japan, so long as such additional excise tax or inland duty continues to be raised.

Provided always that British refined sugar shall in this respect be entitled to the treatment accorded to refined sugar being the produce or manufacture of the most favoured nation.

5. The undersigned plenipotentiaries have agreed that this protocol shall be submitted to the two high contracting parties at the same time as the treaty of commerce and navigation signed this day, and that when the said treaty is ratified the agreements contained in the protocol shall also equally be considered as approved, without the necessity of a further formal ratification.

It is agreed that this protocol shall terminate at the same time the said treaty ceases to be binding.

In witness whereof, the respective plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done at London, in duplicate, this sixteenth day of the seventh month of the twenty-seventh year of Meiji.

(L. S.) AOKI.
(L. S.) KIMBERLEY.

**A BRIEF HISTORY OF THE AMENDMENTS PROPOSED AND
CONSIDERED SINCE THE ACTION OF THE SENATE ON
THE FORMER CANAL TREATY WITH GREAT BRITAIN,
AND WHICH HAVE RESULTED IN THE TREATY NOW
SUBMITTED.¹**

[Prepared in the Department of State and sent by Mr. Hay to the Senate Committee on Foreign Relations.]

The Senate's amendments to the former treaty required (first) that there should be in plain and explicit terms an express abrogation of the Clayton-Bulwer treaty; (second) that the rules of neutrality adopted

¹ Senate Document No. 746, 61st Congress, 3d Session.

should not deprive the United States of the right to defend itself and to maintain public order; and (third) that other powers should not in any manner be made parties to the treaty by being invited to adhere to it.

For a better understanding of the scheme of the new treaty, it may be well briefly to advert to the objections suggested by Great Britain to these several amendments.

AS TO THE ABROGATION OF THE CLAYTON-BULWER TREATY.

Lord Lansdowne's objections were as to the manner of doing this and as to the substance. It was insisted that in the negotiations which led to the making of the former treaty no attempt had been made to ascertain the views of the British Government on such complete abrogation, and that the Clayton-Bulwer treaty being, as it claimed, an international compact of unquestionable validity, could not be abrogated without the consent of both parties to the contract.

There was in this connection an apparent misconception on the part of His Majesty's Government in respect to the proper function of the Senate in advising the ratification of a treaty with amendments proposed by it. It seemed to be regarded as an attempt on the part of the Senate to accomplish by its own vote, as a final act, the abrogation of an existing treaty, without an opportunity for full consideration of the matter by the other party. It was overlooked that the Senate was simply exercising its undoubted constitutional function of proposing amendments to be communicated to the other party to the contract, to ascertain its views upon the question, and it was hoped by the President — and the hope was expressed in submitting the treaty as amended by the Senate to the British Government — that the amendments would be found acceptable by it. Failing this, there was a full opportunity for His Majesty's Government, by counter propositions, to express its views on this and the other amendments, and so by a continuous negotiation to arrive, if possible, at a mutually satisfactory solution of all questions involved. Nevertheless, in view of the great importance of the Senate's amendments, taken together, it was deemed more expedient by Lord Lansdowne to reject them, but to leave the door open for fresh negotiations, which might have a more happy issue; and he earnestly deprecated a final failure of the parties to agree, and emphatically expressed the desire of his government to meet the views of the United States on this most important matter.

The principal substantial objection to the Senate's amendment, completely superseding the Clayton-Bulwer treaty, was that if this were done, the provisions of Article I of that treaty, which had been left untouched by the original Hay-Pauncefote treaty, would be annulled, and thereby both powers would, except in the vicinity of the canal, acquire entire freedom of action in Central America, a change which Lord Lansdowne thought would certainly be of advantage to the United States, and might be of substantial importance.

AS TO THE RIGHT OF THE UNITED STATES, NOTWITHSTANDING THE NEUTRAL RULES ADOPTED BY THE TREATY, TO DEFEND ITSELF BY ITS OWN FORCES, AND TO SECURE THE MAINTENANCE OF PUBLIC ORDER, COVERED BY WHAT WAS GENERALLY KNOWN AS THE DAVIS AMENDMENT.

His Majesty's Government criticized the vagueness of the language employed in the amendment, and the absence of all security as to the manner in which its ends might at some future time be interpreted; but thought that, however precisely it might be worded, it would be impossible to determine what might be the effect if one clause permitting defensive measures and another clause (which has now been omitted) prohibiting fortification of the canal were allowed to stand side by side in the same convention.

This amendment was strenuously objected to by Great Britain as involving a distinct departure from the principle of neutrality which had theretofore found acceptance by both governments, inasmuch as it would, as construed by Lord Lansdowne, permit the United States in time of peace as well as in time of war to resort to whatever warlike acts it pleased in and near the canal, which would be clearly inconsistent with its intended neutral character and would deprive the commerce and navies of the world of the free use of it.

It was insisted that by means of the amendment the obligation of Great Britain to respect the neutrality of the canal under all circumstances would remain in force, while that of the United States, on the other hand, would be essentially modified, and that this would result in a one-sided agreement, by which Great Britain would be debarred from any warlike act in or near the canal, while the United States could resort to any such acts, even in time of peace, which it might deem necessary to secure its own safety.

Moreover, it was insisted that by this amendment, in connection with the third amendment, which excluded other powers from becoming par-

ties to the contract, Great Britain would be placed at a great disadvantage as compared with all other powers, inasmuch as she alone, with all her vast interests in the commerce of the world, would be bound under all circumstances to respect the neutrality of the canal, while the United States, even in time of peace, would have a treaty right to interfere with the canal on the plea of necessity for its own safety, and all other powers not being bound by the treaty could at their pleasure disregard its provisions.

AS TO THE AMENDMENT STRIKING OUT THE ARTICLE IN THE TREATY AS SUBMITTED TO THE SENATE, WHICH PROVIDED FOR AN INVITATION TO THE OTHER POWERS TO COME IN AND ADHERE TO IT.

This was emphatically objected to because if acquiesced in by Great Britain she would be bound by what Lord Lansdowne described as the "stringent rules of neutral conduct" prescribed by the treaty, which would not be equally binding upon the other powers, and it was urged that the adhesion of other powers to the treaty as parties would furnish an additional security for the neutrality of the canal.

In the hope of reconciling the conflicting views thus presented between the former treaty as amended by the Senate and the objections thereto of the British Government, the treaty now submitted for the consideration of the Senate was drafted.

The substantial differences from the former treaty are as follows:

First. In the new draft of treaty *the provision superseding the Clayton-Bulwer treaty as a whole*, instead of being parenthetically inserted, as by the former Senate amendment, was made the subject of an independent article and presented as the first article of the treaty. It was thus submitted to the consideration of the British Government in connection with the other substantial provisions of the treaty which declared the neutrality of the canal for the use of all nations on terms of entire equality.

Second. *By a change in the first line of Article III, instead of the United States and Great Britain jointly adopting as the basis of the neutralization of the canal, the rules of neutrality prescribed for its use as was provided by the former treaty, the United States now alone adopts them.*

This was regarded as a very radical and important change and one which would go far toward a reconciliation of the conflicting views of the two governments.

It relieves Great Britain of all responsibility and obligation to enforce the neutrality of the canal, which by the former treaty had been imposed upon or assumed by her jointly with the United States, and thus meets the main stress of the objection which seemed to underlie or be interwoven with her other objections to the former Senate amendments. The United States alone as the sole owner of the canal, as a purely American enterprise, adopts and prescribes the rules by which the use of the canal shall be regulated, and assumes the entire responsibility and burden of enforcing, without the assistance of Great Britain or of any other nation, its absolute neutrality.

It was also believed that this change would be in harmony with the national wish that this great interoceanic waterway should not only be constructed and owned, but exclusively controlled and managed, by the United States.

Third. The next important change from the former treaty consists in the omission of the words "*in time of war as in time of peace*" from clause 1 of Article III.

No longer insisting upon the language of the Davis amendment — which had in terms reserved to the United States express permission to disregard the rules of neutrality prescribed, when necessary to secure its own defense, which the Senate had apparently deemed necessary because of the provision in Rule I, that the canal should be free and open "*in time of war as in time of peace*" to the vessels of all nations — it was considered that the omission of the words "*in time of war as in time of peace*" would dispense with the necessity of the amendment referred to, and that war between the contracting parties, or between the United States and any other power, would have the ordinary effect of war upon treaties when not specially otherwise provided, and would remit both parties to their original and natural right of self-defense and give to the United States the clear right to close the canal against the other belligerent, and to protect it and defend itself by whatever means might be necessary.

Fourth. *In conformity with the Senate's emphatic rejection of Article III of the former treaty, which provided that the high contracting parties would, immediately upon the exchange of ratifications, bring it to the notice of other powers and invite them to adhere to it, no such provision was inserted in the draft of the new treaty.*

It was believed that the declaration that the canal should be free and open to all nations on terms of entire equality (now that Great Britain was relieved of all responsibility and obligation to enforce and defend its

neutrality) would practically meet the force of the objection which had been made by Lord Lansdowne to the Senate's excision of the article inviting the other powers to come in, viz., that Great Britain was placed thereby in a worse position than other nations in case of war with the United States.

Fifth. *The next change from the former treaty is the omission of the provision in clause 7 of Article III, which prohibited the fortification of the canal, and the transfer to clause 2 of the remaining provision of clause 7, that the United States shall be at liberty to maintain such military police along the canal as may be necessary to protect it against lawlessness and disorder.*

The whole theory of the treaty is that the canal is to be an entirely American canal. The enormous cost of constructing it is to be borne by the United States alone. When constructed, it is to be exclusively the property of the United States and is to be managed, controlled, and defended by it. Under these circumstances, and considering that now by the new treaty Great Britain is relieved of all the responsibility and burden of maintaining its neutrality and security, it was thought entirely fair to omit the prohibition that "*no fortification shall be erected commanding the canal or the waters adjacent.*"

Sixth. It will be observed that, although the words "in time of war as in time of peace" had been omitted from clause 1 of Article III upon the theory that the omission of these words would dispense with the necessity of the Davis amendment, and that war between the United States and any other power would have the ordinary effect of war upon treaties and remit both parties to their natural right of self-defense—the same words are retained in the sixth clause of Article III, which provides that the plant, establishment, buildings, and all works necessary to the construction, maintenance, and operation of the canal shall be deemed part of it for the purposes of this treaty, and "in time of war as in time of peace" shall enjoy complete immunity from attack or injury by belligerents and from acts calculated to impair their usefulness.

It was considered that such specific provision was in the general interest of commerce and of civilization, and that all nations would regard such a work as sacred under all circumstances.

It was hoped that the changes above enumerated from the former treaty would practically reconcile the conflicting contentions of the two governments and would lead to the much-desired result of an entire concurrence of views between them.

With the exception of these changes care was taken in the draft of the new treaty to preserve the exact language, which had passed both the Senate and the British Government without objection, and, as is believed, without criticism.

The hope that the changes thus made had effectually met the British objections to the former treaty as amended by the Senate was almost realized.

The proposed draft of the new treaty was transmitted to Lord Lansdowne, and after mature deliberation he proposed on the part of His Majesty's Government only three substantial amendments.

He recognized the weighty importance of the change by which Great Britain was relieved of all responsibility for enforcing the neutrality and maintaining the security of the canal, and that all this burden was solely assumed by the United States. He also appreciated the importance of the other proposed changes in the direction of harmony.

Under this modified aspect of the relations of the two nations to the canal, he was not indisposed to consent to the abrogation of the Clayton-Bulwer treaty if the "general principle" of neutrality, which was reaffirmed in the preamble of the new treaty as well as of the former one, should be preserved and secured against any change of sovereignty or other change of circumstances in the territory through which the canal is intended to pass, and that the rules adopted as the basis of neutralization should govern, as far as possible, all interoceanic communication across the Isthmus. He referred in this connection to Articles I and VIII of the Clayton-Bulwer treaty.

He therefore proposed, by way of amendment, the insertion of an additional article, on the acceptance of which His Majesty's Government would be inclined to withdraw its objection to the formal abrogation of the Clayton-Bulwer treaty.

The amendment thus proposed by him was in the following language, viz.:

In view of the permanent character of this treaty, whereby the general principle established by Article VIII of the Clayton-Bulwer treaty is reaffirmed, the high contracting parties hereby declare that the rules laid down in the last preceding article shall, so far as they may be applicable, govern all interoceanic communication across the Isthmus which connects North and South America, and that no change of territorial sovereignty or other change of circumstances shall affect such general principle or the obligations of the high contracting parties under this treaty.

This proposed article was regarded by the President as too far-reaching for the purpose in view, and as converting the vague and indefinite

provisions of the eighth article of the Clayton-Bulwer treaty, which contemplated only future treaty stipulations when any new route should prove to be practicable, into a very definite and certain present treaty, fastening the crystallized rules of neutrality adopted now for this canal upon every other interoceanic communication across the Isthmus, and as perpetuating in a more definite and extended form, by a sort of re-enactment of the eighth article, the embarrassing effects of the Clayton-Bulwer treaty, of which the United States hoped to be relieved altogether.

He believed that now that a canal is about to be built at the sole cost of the United States for the equal benefit of all nations, it was sufficient for the present treaty to provide for that one canal, and that it was hardly within the range of possibility that the United States would ever build more than one canal between the two oceans.

The President was, however, not only willing, but desirous, that the "general principle" of neutralization referred to in the preamble of this treaty should be applicable to this canal now intended to be built, notwithstanding any change of sovereignty or of international relations of the territory through which it should pass. This "general principle" of neutralization had always in fact been insisted upon by the United States, and he recognized the entire justice of the request of Great Britain that if she should now surrender the material interest which had been secured to her by the first article of the Clayton-Bulwer treaty, which might result in the indefinite future should the territory traversed by the canal undergo a change of sovereignty, this "general principle" should not be thereby affected or impaired.

These views were communicated to His Majesty's Government, and as a substitute for the article proposed by Lord Lansdowne the following was proposed on the part of the United States:

It is agreed that no change of territorial sovereignty or of the international relations of the country or countries traversed by the before-mentioned canal shall affect the general principle of neutralization or the obligations of the high contracting parties under the present treaty.

Upon a full exchange of views, this article proposed by the United States was accepted by Great Britain and becomes Article IV of the treaty now submitted. It is thought to do entire justice to the reasonable demands of Great Britain in preserving the general principle of neutralization and at the same time to relieve the United States of the vague, indefinite, and embarrassing obligations imposed by the eighth article of the Clayton-Bulwer treaty.

During the discussions upon this article it was suggested that al-

though no particular route was mentioned in the proposed treaty as the route to be traversed by the canal, yet as the canal had been so commonly mentioned as the "Nicaragua Canal," and the intended treaty as the "Nicaragua Canal treaty," it might possibly be claimed that the treaty did not apply to a canal by the Panama route, or by any other possible route. But it had always been intended by the President that the treaty should apply to the canal which should be first constructed, by whichever or whatever route, and to remove the apprehension referred to and to exclude all possible doubt in the matter, it was agreed that the preamble should be amended *by inserting in the preamble after the word "oceans" the words "by whatever route may be considered expedient."*

His Majesty's Government at first strenuously objected to the absence from the treaty of any provision for other powers coming in, so as to be bound by its terms. It protested against being bound by what it regarded as stringent rules of neutrality which should not be equally binding upon other powers.

Lord Lansdowne accordingly proposed the following amendment, viz:

To insert in Rule 1 of Article III, after the word "nation," the words "which shall agree to observe these rules," and in the following line, after the word "nation," the words "so agreeing," so as to make the clause read:

"1. The canal shall be free and open to the vessels of commerce and of war of all nations *which shall agree to observe these rules*, on terms of entire equality, so that there shall be no discrimination against any nation *so agreeing*," etc.

The President, however, could not consent to this amendment, because he apprehended that it might be construed as making the other powers parties to the contract and as giving them contract rights in the canal, and that it would thus practically restore to the treaty the substance of the provision which the Senate had struck out as Article III of the former treaty. He believed also that there was a strong national feeling against giving to the other powers anything in the nature of a contract right in an affair so peculiarly American as the canal; that no other powers had now any right in the premises or anything to give up or part with as consideration for acquiring such a contract right; that they are to rely on the good faith of the United States in its declaration to Great Britain in this treaty; and that it adopts the rules and principles of neutralization there set forth. These rules are adopted in the treaty with Great Britain as a consideration for getting rid of the Clayton-Bulwer treaty, and the only way in which other nations are bound by them is that they must comply with them if they would use the canal.

It was also apparent that the proposed amendment if accepted would make Rule I more objectionable than the third article of the former treaty, which was stricken out by the Senate's amendment, for that only invited other powers to come in and become parties to the contract *after ratification*, whereas the proposed provision would rather compel other powers to come in and become parties to the contract *in the first instance* as a condition precedent to the use of the canal by them.

Upon due consideration of these suggestions, and at the same time to put all the powers upon the same footing, viz, that they could use the canal only by complying with the rules of neutrality adopted and prescribed — an amendment to Lord Lansdowne's amendment was proposed and agreed upon, viz:

To strike out from his amendment the words, "which shall agree to observe" and substitute therefor the word "observing," and in the next line to strike out the words "so agreeing," and to insert before the word "nation" the word "such."

This made the clause as finally agreed upon and found in the treaty as now submitted for the consideration of the Senate:

The canal shall be free and open to the vessels of commerce and of war of all nations observing these rules on terms of entire equality, so that there shall be no discrimination against any such nation, etc.

Thus the whole idea of contract right in the other powers is eliminated, and the vessels of any nation which shall refuse or fail to observe the rules adopted and prescribed may be deprived of the use of the canal.

One other amendment proposed by Lord Lansdowne was regarded by the President as so entirely reasonable that it was agreed to without discussion. This was the insertion at the end of clause I of Article III the words: "*Such conditions and charges of traffic shall be just and equitable,*" and the word "convention," wherever it occurs, has been changed to "treaty."

It is believed that this memorandum will put the Senate Committee on Foreign Relations in full possession of the history of all changes in the treaty since the action of the Senate on the former amendment.

LORD LANSDOWNE'S MEMORANDUM.

August 3, 1901.

In the despatch which I addressed to Lord Pauncefote on the 22d February last, and which was communicated to Mr. Hay on the 11th March, I explained the reasons for which His Majesty's Government were unable to accept the amendments introduced by the Senate of the United States into the convention, signed at Washington in February, 1900, relative to the construction of an inter-oceanic canal.

The amendments were three in number, namely:

1. The insertion in Article II, after the reference to Article VIII of the Clayton-Bulwer convention, of the words "which convention is hereby superseded."

2. The addition of a new paragraph after section 5 of Article II in the following terms:

"It is agreed, however, that none of the immediately foregoing conditions and stipulations in sections numbered 1, 2, 3, 4, and 5 of this article shall apply to measures which the United States may find it necessary to take for securing by its own forces the defense of the United States and the maintenance of public order."

3. The excision of Article III, which provides that "the high contracting parties will, immediately upon the exchange of the ratifications of this convention, bring it to the notice of the other powers and invite them to adhere to it."

2. The objections entertained by His Majesty's Government may be briefly stated as follows:

(1) The Clayton-Bulwer convention being an international compact of unquestionable validity could not be abrogated or modified save with the consent of both parties to the contract. No attempt had, however, been made to ascertain the views of Her Late Majesty's Government. The convention dealt with several matters for which no provision had been made in the convention of February, 1900, and if the former were wholly abrogated both powers would, except in the vicinity of the canal, recover entire freedom of action in Central America, a change which might be of substantial importance.

(2) The reservation to the United States of the right to take any measures which it might find necessary to secure by its own forces the defense of the United States appeared to His Majesty's Government to involve a distinct departure from the principle of neutralization which until then had found acceptance with both governments, and which both were, under the convention of 1900, bound to uphold. Moreover,

if the amendment were added, the obligation to respect the neutrality of the canal in all circumstances would, so far as Great Britain was concerned, remain in force; the obligation of the United States, on the other hand, would be essentially modified. The result would be a one-sided arrangement, under which Great Britain would be debarred from any warlike action in or around the canal, while the United States would be able to resort to such action even in time of peace to whatever extent they might deem necessary to secure their own safety.

(3) The omission of the article inviting the adherence of other powers placed this country in a position of marked disadvantage compared with other powers; while the United States would have a treaty right to interfere with the canal in time of war, or apprehended war, and while other powers could with a clear conscience disregard any of the restrictions imposed by the convention of 1900, Great Britain alone would be absolutely precluded from resorting to any such action or from taking measures to secure her interests in and near the canal.

For these reasons His Majesty's Government preferred, as matters stood, to retain unmodified the provisions of the Clayton-Bulwer convention. They had, however, throughout the negotiations given evidence of their earnest desire to meet the views of the United States, and would sincerely regret a failure to come to an amicable understanding in regard to this important subject.

3. Mr. Hay, rightly apprehending that His Majesty's Government did not intend to preclude all further attempt at negotiation, has endeavored to find means by which to reconcile such divergences of view as exist between the two governments, and has communicated a further draft of a treaty for the consideration of His Majesty's Government.

Following the order of the Senate amendments, the convention now proposed —

(1) Provides by a separate article that the Clayton-Bulwer convention shall be superseded.

(2) The paragraph inserted by the Senate after section 5 of Article II is omitted.

(3) The article inviting other powers to adhere is omitted.

There are three other points to which attention must be directed:

(a) The words "in time of war as in time of peace" are omitted in rule 1.

(b) The draft contains no stipulation against the acquisition of sovereignty over the Isthmus or over the strip of territory through which the

canal is intended to pass. There was no stipulation of this kind in the Hay-Pauncefote convention; but, by the surviving portion of Article I of the Clayton-Bulwer convention, the two governments agreed that neither would ever "occupy, or fortify, or colonize, or assume, or exercise any dominion over Nicaragua, Costa Rica, the Mosquito coast, or any part of Central America," nor attain any of the foregoing objects by protection offered to, or alliance with, any State or people of Central America.

(c) While the amendment reserving to the United States the right of providing for the defense of the canal is no longer pressed for, the first portion of rule 7, providing that "no fortifications shall be erected commanding the canal or the waters adjacent," has been omitted. The latter portion of the rule has been incorporated in rule 2 of the new draft, and makes provision for military police to protect the canal against lawlessness and disorder.

4. I fully recognize the friendly spirit which has prompted Mr. Hay in making further proposals for the settlement of the question, and while in no way abandoning the position which His Majesty's Government assumed in rejecting the Senate amendments, or admitting that the despatch of the 22d February was other than a well-founded, moderate, and reasonable statement of the British case, I have examined the draft treaty with every wish to arrive at a conclusion which shall facilitate the construction of an interoceanic canal by the United States without involving on the part of His Majesty's Government any departure from the principles for which they have throughout contended.

5. In form the new draft differs from the convention of 1900, under which the high contracting parties, after agreeing that the canal might be constructed by the United States, undertook to adopt certain rules as the basis upon which the canal was to be neutralized. In the new draft the United States intimate *their* readiness "to adopt" somewhat similar rules as the basis of the neutralization of the canal. It would appear to follow that the whole responsibility for upholding these rules, and thereby maintaining the neutrality of the canal, would henceforward be assumed by the Government of the United States. The change of form is an important one; but in view of the fact that the whole cost of the construction of the canal is to be borne by that government, which is also to be charged with such measures as may be necessary to protect it against lawlessness and disorder, His Majesty's Government are not likely to object to it.

6. The proposal to abrogate the Clayton-Bulwer convention is not, I think, inadmissible if it can be shown that sufficient provision is made in the new treaty for such portions of the convention as ought, in the interests of this country, to remain in force. This aspect of the case must be considered in connection with the provisions of Article I of the Clayton-Bulwer convention which have already been quoted, and Article VIII referred to in the preamble of the new treaty.

Thus, in view of the permanent character of the treaty to be concluded and of the "general principle" reaffirmed thereby as a perpetual obligation, the high contracting parties should agree that no change of sovereignty or other change of circumstances in the territory through which the canal is intended to pass shall affect such "general principle" or release the high contracting parties, or either of them, from their obligations under the treaty, and that the rules adopted as the basis of neutralization shall govern, so far as possible, all interoceanic communications across the Isthmus.

I would therefore propose an additional article in the following terms, on the acceptance of which His Majesty's Government would probably be prepared to withdraw their objections to the formal abrogation of the Clayton-Bulwer convention:

In view of the permanent character of this treaty, whereby the general principle established by Article VIII of the Clayton-Bulwer convention is reaffirmed, the high contracting parties hereby declare and agree that the rules laid down in the last preceding article shall, so far as they may be applicable, govern all interoceanic communications across the isthmus which connects North and South America, and that no change of territorial sovereignty, or other change of circumstances, shall affect such general principle or the obligations of the high contracting parties under the present treaty.

7. The various points connected with the defense of the canal may conveniently be considered together. In the present draft the Senate amendment has been dropped, which left the United States at liberty to apply such measures as might be found "necessary to take for securing by its own forces the defense of the United States." On the other hand, the words "in time of war as in time of peace" are omitted from rule 1, and there is no stipulation, as originally in rule 7, prohibiting the erection of fortifications commanding the canal or the waters adjacent.

I do not fail to observe the important difference between the question as now presented to us and the position which was created by the amendment adopted in the Senate.

In my despatch I pointed out the dangerous ambiguity of an instru-

ment of which one clause permitted the adoption of defensive measures, while another prohibited the erection of fortifications. It is most important that no doubt should exist as to the intention of the contracting parties. As to this, I understand that by the omission of all reference to the matter of defense the United States Government desire to reserve the power of taking measures to protect the canal, at any time when the United States may be at war, from destruction or damage at the hands of an enemy or enemies. On the other hand, I conclude that, with the above exception, there is no intention to derogate from the principles of neutrality laid down by the rules. As to the first of these propositions I am not prepared to deny that contingencies may arise when, not only from a national point of view, but on behalf of the commercial interests of the whole world, it might be of supreme importance to the United States that they should be free to adopt measures for the defense of the canal at a moment when they were themselves engaged in hostilities.

It is also to be borne in mind that, owing to the omission of the words under which this country became jointly bound to defend the neutrality of the canal, and the abrogation of the Clayton-Bulwer treaty, the obligations of Great Britain would be materially diminished.

This is a most important consideration. In my despatch of the 22d February I dwelt upon the strong objection entertained by His Majesty's Government to any agreement under which, while the United States would have a treaty right to interfere with the canal in time of war, or apprehended war, Great Britain alone, in spite of her vast possessions on the American continent and the extent of her interests in the East, would be absolutely precluded from resorting to any such action, or from taking measures to secure her interests in and near the canal. The same exception could not be taken to an arrangement under which, supposing that the United States, as the power owning the canal and responsible for the maintenance of its neutrality, should find it necessary to interfere temporarily with its free use by the shipping of another power, that power would thereupon at once and *ipso facto* become liberated from the necessity of observing the rules laid down in the new treaty.

8. The difficulty raised by the absence of any provision for the adherence of other powers still remains. While indifferent as to the form in which the point is met, I must emphatically renew the objections of His Majesty's Government to being bound by stringent rules of neutral conduct not equally binding upon other powers. I would therefore suggest the insertion in rule 1, after "all nations," of the words "which

shall agree to observe these rules." This addition will impose upon other powers the same self-denying ordinance as Great Britain is desired to accept, and will furnish an additional security for the neutrality of the canal, which it will be the duty of the United States to maintain.

As matters of minor importance, I suggest the renewal of one of the stipulations of Article VIII of the Clayton-Bulwer convention by adding to rule 1 the words "such conditions and charges shall be just and equitable," and the adoption of "treaty" in lieu of "convention" to designate the international agreement which the high contracting parties may conclude.

Mr. Hay's draft, with the proposed amendments shown in italics, is annexed.*

LANSDOWNE.

AUGUST 3, 1901.

PONTIFICAL BRIEF ON INTERNATIONAL PEACE,

June 11, 1911,

[Translation.]

TO OUR VENERABLE BROTHER,

DIOMEDES, TITULAR ARCHBISHOP OF LARISSA, APOSTOLIC DELEGATE TO THE UNITED STATES OF AMERICA.

WASHINGTON.

PIUS X.

Venerable Brother, Health and Apostolic Benediction.

We are happy to learn from you that in the United States of America under the leadership of men enjoying the highest authority with the people the more judicious members of the community are fervently desirous of maintaining the advantages of international peace.

To compose differences, to restrain the outbreak of hostilities, to prevent the dangers of war, to remove even the anxieties of so-called armed peace, is, indeed, most praiseworthy and any effort in this cause even although it may not immediately or wholly accomplish its purpose, manifests, nevertheless, a zeal which can not but redound to the credit of its authors and be of benefit to the state. This is especially true at the

* Omitted.

present day when vast armies, instrumentalities most destructive to human life, and the advanced state of military science portend wars which must be a source of fear even to the most powerful rulers.

Wherefore, We most heartily commend the work already begun which should be approved by all good men and especially by us holding, as We do, the Supreme Pontificate of the Church, and representing Him who is both the God and the Prince of Peace; and We most gladly lend the weight of Our authority to those who are striving to realize this most beneficent purpose. For We do not doubt that the same distinguished men who possess so much ability and such wisdom in affairs of state will construct in behalf of a struggling age a royal road for the nations leading to peace and conciliation in accordance with the laws of justice and charity, which should be sacredly observed by all. For, inasmuch as peace consists in order who will vainly think that it can be established unless he strives with all the force within him that due respect be everywhere given to those virtues which are the principles of order and its firmest foundation.

As for the remaining aspects of the matter, We recall to mind the example of so many of Our illustrious Predecessors who, when the condition of the times permitted, rendered, in this very matter also, the most signal service to the cause of humanity and to the stability of Governments; but since the present age allows Us to aid in this cause only by pious prayers to God, We, therefore, most earnestly pray God who knows the hearts of men and inclines them as He wills, that He may be gracious to those who are furthering peace amongst the peoples and may grant to the nations which with united purpose are laboring to this end that the destruction of war and its disasters being averted, they may at length find repose in the beauty of peace.

As a pledge of divine favor and a proof of Our benevolence, We most lovingly grant you, Venerable Brother, the Apostolic Benediction.

Given at Rome at St. Peter's the eleventh day of June 1911 and the eighth year of Our pontificate.

(Signed) Pius X.

VENERABILI FRATRI

DIOMEDI ARCHIEPISCOPO TIT. LARISSENSII, DELEGATO APOSTOLICO IN
FOEDERATIS AMERICAE CIVITATIBUS, WASHINGTONIAM.

PIUS PP. X.

Venerabilis Frater Salutem et Apostolicam Benedictionem.

Libenter abs te accepimus, auspice virorum coetu quorum summa est ad populam auctoritas, fervere in Foederatis Americae Civitatibus prudentiorum studia ad pacis commoda gentibus tuenda. Videlicet animos coniungere, hostiles continere impetus, prohibere belli pericula et ipsas amovere pacis uti aiunt armatae sollicitudines, coeptum est nobilissimum: et quid quid in hanc causam confertur operae, et si non eo proxime vel plene contingat quo consilia spectant, conatum tamen praestat qui neque auctoribus vacat laude, neque publicae rei utilitatibus. Idque hoc maxime tempore, quum et magnae copiae, et instrumenta ad internecionem aptissima, et tam longe provecta rei militaris scientia bella portendunt quae vel ipsis sunt principibus potentissimis vehementer pertimescenda. Quare gratulamur ex animo coeptum cum optimo cuique tum Nobis, prae ceteris, probandum qui, adepti summum Ecclesiae Pontificatum vices gerimus Illius qui PACIS et PRINCEPS et DEUS EST et ad illud, saluberrimo consilio, contententibus Nostrae suffragio auctoritatis adiungimur libentissime. Neque enim dubium est Nobis quin iidem praestantes viri in quibus tanta est ingenii vis prudentiaeque civilis, velint ad pacem laboranti saeculo conciliandam regiam gentibus sternere viam in iustitiae et caritatis legibus sancte ab omnibus servandis. Pacem enim, hoc ipso quod ordine continetur, frustra quis sibi confidit stabiliendam, nisi pro viribus contendat ut iis suis ubique sit honos virtutibus quae ordinis sunt principia ac fundamentum omnium maximum? Ceterum, memoria repetentes exempla tot illustrium Decessorum Nostrorum qui, quando per tempora licuit, hoc etiam ex capite, de gentium humanitate, de firmitate imperiorum tam egregie meruerunt, quandoquidem aliud nihil hac in re praestare aetas sinat quam pias ad Deum preces, Deum, qui corda noscit hominum et ea quocumque vult inclinatur, instantissime adprecamur ut iis propitius adsit qui pacem populis conciliare student: gentibus vero quae pacem concordi voto expetunt, tribuere benignus velit ut, amotis belli ac descidii calamitatibus, in pulcritudine pacis tandem aliquando conquiescant Auspicem divinorum munerum Nostraeque testem benevolentiae Apostolicam Benedictionem tibi, Venerabilis Frater, peramanter in Domino impertimus.

Datum Romae apud Sanctum Petrum die XI Junii MCMXI Pontificatus Nostri anno octavo.

PIUS PP. X.

CONVENTION OF OBLIGATORY ARBITRATION BETWEEN RUSSIA AND SPAIN.

*Signed at St. Petersburg August 2/15, 1910; ratifications exchanged
November 9/22, 1910.*

His Majesty the Emperor of all the Russias and His Majesty the King of Spain, desiring to adjust so far as possible by means of arbitration such differences as might arise between their countries, have decided to conclude a convention for this purpose, and have named as their plenipotentiaries, to wit:

His Majesty the Emperor of all the Russias:

Mr. Serge Sazonow, of the rank of Master of the Imperial Court, His Actual State Councillor, and Director of the Ministry for Foreign Affairs

and His Majesty the King of Spain:

His Excellency Don Cipriano Munoz y Manzano, Count de la Vinaza, His Chamberlain and Ambassador Extraordinary and Plenipotentiary near the Imperial Court of Russia,

Who, having communicated to each other their full powers, found to be in good and due form, have agreed upon the following articles:

ARTICLE I. The high contracting parties engage to submit to the Permanent Court of Arbitration, established at The Hague by the Convention of July 17/29, 1899, such differences as may arise between them in the cases enumerated in Article III, in so far as they do not affect the independence, the honor, the vital interests or the exercise of the sovereignty of the contracting countries, and in case it has not been possible to arrive at a friendly solution by means of direct diplomatic negotiations or by any other means of conciliation.

ARTICLE II. It rests with each of the high contracting parties to determine whether the difference which has occurred involves its vital interests, its honor, its independence or the exercise of its sovereignty, and is therefore of a character to be included among those cases which, in accordance with the preceding article, are exempted from obligatory arbitration.

ARTICLE III. Arbitration between the high contracting parties will be obligatory:

I. In case of disputes concerning the application or interpretation of any convention concluded or to be concluded between the high contracting parties and relating to:

- 1) Matters of private international law;

- 2) The status of companies;
- 3) Matters of procedure, whether civil or criminal, and extradition.

II. In case of disputes concerning pecuniary claims for damages, when the principle of the indemnity is recognized by the parties.

Such differences as may hereafter arise concerning the interpretation or application of a convention concluded or to be concluded between the high contracting parties, to which other Powers may have been parties or may have adhered, will be excluded from this solution by arbitration.

ARTICLE IV. The present convention would be applied even though the disputes arising should have had their origin in facts prior to its conclusion.

ARTICLE V. Whenever there shall be occasion for an arbitration between them, the high contracting parties will, in the absence of clauses to the contrary in the *compromis*, conform in all that concerns the designation of arbiters, and the arbitral procedure, to the arrangements established by Article 52 of the Convention, signed at The Hague October 5/18, 1907, for the Pacific Settlement of International Disputes, save in so far as regards the points hereinafter indicated.

ARTICLE VI. None of the arbiters may be a subject of one of the states signing the present convention, nor be domiciled in its territories, nor be interested in the questions which are the subject of the arbitration.

ARTICLE VII. The arbitral decision will contain an indication of the period within which it must be executed.

ARTICLE VIII. The present convention is concluded for a period of ten years. It will come into force one month after the exchange of ratifications. In case neither of the high contracting parties shall have given notice, six months before the end of the period mentioned, of its intention to terminate its validity, the convention will remain binding until the expiration of one year from the day on which one or the other of the high contracting parties shall have denounced it.

ARTICLE IX. The present convention will be ratified as soon as possible, and the ratifications will be exchanged at St. Petersburg.

In faith of which the plenipotentiaries have signed the present Convention and affixed their seals thereto.

Done in duplicate at St. Petersburg, August 2/15, 1910.

(Signed) SAZONOW
(L. S.)

(Signed) COUNT DE LA VINAZA
(L. S.)

EXTRADITION TREATY BETWEEN SPAIN AND GREECE.

Signed at Athens, May 7/20, 1910; ratifications exchanged August 15/28, 1910.

His Majesty the King of Spain and the King of the Hellenes having resolved to conclude a treaty for the reciprocal extradition of criminals, have appointed as their plenipotentiaries to-wit:

His Majesty the King of Spain His Excellency the Marquis of Prat de Nantouillet, Gentleman of the Bedchamber and his Envoy Extraordinary and Minister Plenipotentiary near His Majesty the King of the Hellenes; and

His Majesty the King of the Hellenes His Excellency Mr. Demetrio Kaleigi his Minister of Foreign Affairs,

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following articles:

ARTICLE I.

The high contracting parties mutually agree to deliver up reciprocally in the conditions and circumstances established by the present treaty, persons who, having been charged with or convicted of a crime or misdemeanor within the territory of the party asking the extradition, shall take refuge in the territory of the other party.

ARTICLE II.

Extradition will only be conceded for infractions of the penal laws hereinafter named, when such crimes are punished by the legislation of the state asking the extradition and the state granting it:

1. Assassination, poisoning, parricide, infanticide, murder.
2. Blows given or wounds caused voluntarily and with premeditation which have caused an illness which appears incurable, permanent incapacity for work, absolute loss of an organ, grave mutilation or death without intention of killing.
3. Rape.
4. Bigamy.
5. Abduction of minors.
6. Exposure or abandonment of a child under seven years old.
7. Abortion.
8. Robbery, embezzlement, breach of trust, fraud and extortion.
9. Voluntary and illegal restraint of individual liberty by private persons.

10. Counterfeiting, in which is comprised the falsification or alteration of money and knowingly uttering and circulating false or altered money.

11. The imitation or counterfeiting of public bonds or bank notes, of public or private stock certificates, or knowingly uttering and circulating these bonds, banknotes or certificates of stock, falsifying of documents or telegraphic despatches and knowingly using these counterfeit despatches, bonds, banknotes, or certificates of stock.

12. The imitation or counterfeiting of stamps, seals, dies, postage stamps or other like objects; knowingly using these counterfeited or falsified objects; the fraudulent use of authentic stamps, seals or dies.

13. False testimony.

14. Perjury.

15. Subornation malversation committed by public officers, corruption of public officers.

16. Fraudulent bankruptcy.

17. Arson.

18. Destruction, deterioration or voluntary suppression of public bonds or private bonds, committed with the intention of causing damage to others.

19. The voluntary and illegal destruction of a building when such destruction may result in damage to the property of others or in danger of death.

20. The concealment of objects obtained through the crimes or misdemeanors mentioned in the present treaty.

Complicity in or the attempt to commit any of the above mentioned crimes are comprised in this treaty when such complicity or attempt is punished by the laws of both states.

In cases of correctional punishment, extradition may take place:

1. With regard to persons condemned by default when the sentence amounts to at least one year's imprisonment;

2. With regard to accused persons, when the maximum punishment applicable to their crime in both states is at least two years imprisonment.

ARTICLE III.

No Spanish subject will be delivered up to the Hellenic Government and no Hellenic subject will be delivered up to the Spanish Government.

In cases where the accused or condemned person is not a subject of either of the two contracting states, the government to whom the request for extradition is addressed, remains at liberty to take whatever course

it may judge opportune, and to deliver the accused persons up either to the government of his native country or to the country in which the crime or misdemeanor was committed.

ARTICLE IV.

Extradition shall not be granted:

I. If, after the facts alleged in the last service of papers in the proceedings or in the sentence, the action or punishment shall have lapsed through limitation, according to the laws of the country in which the accused has sought refuge.

II. If the crimes for which extradition is asked have been committed in the country from which the extradition of the criminal is requested, or even if the crime has been committed out of this country, if the accused has been tried or definitely judged in that country.

ARTICLE V.

If the person whose extradition is requested, has been tried or condemned in the country which is asked to deliver him up, then the extradition proceedings may be put off until the trial has finished and in case of the conviction of the accused, until he shall have completed his sentence.

In case the accused should be tried or arrested in the country from which his extradition is asked on account of obligations contracted with private individuals, this shall not be a bar to his extradition, but the latter shall have the right of defending their interests before competent authorities.

ARTICLE VI.

Extradition will not be granted if the crime for which it is asked is held in the state which is asked to grant the extradition as a political crime or as related to a crime of this nature, or if the accused be able to prove that, in reality, extradition has been asked for with a view of trying him for a crime of this nature.

The person for whom extradition has been granted, can not be tried or punished for any political crime committed before his extradition was asked for, nor for any act related to a crime of this nature nor for any crime or misdemeanor not mentioned in the present treaty.

A person who is extradited can not be tried or adjudged in default for any crime except that for which the extradition has been granted.

This shall not apply to crimes committed after the extradition shall have been granted.

ARTICLE VII.

The request for extradition must always be made through the diplomatic representatives.

ARTICLE VIII.

Extradition will be granted in accordance with the regulations prescribed in the country granting the extradition.

ARTICLE IX.

Extradition will be granted on the presentation of a sentence or judgment of condemnation, even though it be by default, if in this case the person against whom the sentence has been given has been duly notified of it in the form required by the laws of the country requesting extradition, or the presentation of a document of criminal procedure issued by competent judicial authority, decreeing in due form or requesting with full right the delivering up of the accused.

Extradition may also be granted on the exhibition of a prison sentence or of any other like document, issued by the competent judicial authorities, provided these documents contain precise indications as to the act for which they have been issued, and, as far as possible, the date of this act. Either the originals or authenticated copies of the above mentioned documents must be presented.

These documents shall be accompanied by a copy of the text of the law applicable to the crime in question, and when necessary by a translation into French of this law, and so far as possible, by a description of the accused and any other indications which might be of assistance in determining his identity.

In case there should be doubts as to whether the crime or misdemeanor which is the object of the proceedings is included in the provisions of the present treaty, the government of which the extradition is requested may ask such explanations as it may deem useful or necessary to clear up its doubts, after which it may decide whether the extradition is to be granted or not.

The government asking the extradition shall give these explanations to the government of which the extradition is requested, and at the same time shall put at its disposition all of the documents which it may judge useful or necessary in clearing up the doubts of the latter government.

ARTICLE X.

In case of urgency, provisional arrests may be made through notes sent by the post or telegraph through the diplomatic representative, of the existence of any of the documents mentioned in Article IX, on condition that this notice be given in due form to the Minister for Foreign Affairs of the country of which the extradition is requested.

The provisional arrest will be made in the form and according to the regulations established by the country of which the extradition is requested.

The provisional arrest will not be maintained if, within one month from the time the arrest has been made, none of the documents mentioned in Article IX of the present treaty have been communicated to the accused.

ARTICLE XI.

When extradition shall have been granted, all the objects which have been taken from the accused, and which might be useful as proofs of his guilt as well as all of the objects proceeding from the crime or misdemeanor of which he is accused shall be delivered up at the discretion of the competent authority, to the state asking his extradition either when the extradition is duly effected through the accused having been arrested, or the extradition having been granted, the accused should effect his escape or die.

Reserve is made, however, of the rights of those persons who may have acquired rights over objects not included in the proceedings, to whom these objects may be returned, when necessary, without costs, at the end of the proceedings.

ARTICLE XII.

The costs of arrest, maintenance and transportation of the extradited person, as well as the costs of delivering up and transporting the objects named in the above stated article which are to be restored or delivered up, shall be charged to both states within the limits of their respective territories.

The costs of transportation or others which may be incurred in foreign states shall be charged to the state requesting the extradition. The costs of transportation and others by sea shall also be charged to the state asking the extradition. The accused whose extradition has been granted shall be conducted to a port of the country of which extradition is asked, or to a point on the frontier which may be named by the state asking the extradition.

ARTICLE XIII.

If the person whose extradition has been asked for, and who has been arrested is not delivered up and taken away within the three months following his arrest, he shall be placed at liberty, and his extradition can not again be asked for the same crime.

ARTICLE XIV.

The transit through the respective territories of the two contracting parties of an extradited person not a citizen of the country through which he is being taken, shall be granted on the simple presentation of the originals or authenticated copies of any of the documents mentioned in Article IX, on condition that the crime for which the person in question is being extradited is mentioned in the present treaty, and is not included among the exceptions made in Articles IV and VI.

ARTICLE XV.

When a criminal trial, which is not political, shall have been begun, and the testimony of persons who are in one of the two countries or any other judicial proceedings is necessary, a requisition letter accompanied by a translation into French shall be addressed to the diplomatic representative, requesting that, in accordance with the laws of the country, the above testimony or judicial proceedings shall be taken. However, requisitory letters which require that a domiciliary visit or the attachment of the *corpus delicti* or of documentary or material proof be made, shall only be complied with when the trial in question is for a crime included in Article II, and under the reserve expressed in the last paragraph of Article IX.

The respective governments will not be reimbursed for the costs resulting from the accomplishment of requisitorial letters in criminal cases, even though expert evidence be required and such expert evidence should only give rise to judicial proceedings without a formal trial.

ARTICLE XVI.

In criminal cases which are not political, when the government of one of the two countries judges it necessary that an individual residing in the other country should be informed of a judicial proceeding or sentence, this document shall be diplomatically transmitted, and when necessary accompanied by a French translation, and the interested person shall be personally served with the document through the public ministry of his place of residence and by the proper official, and the original of

his acknowledgment of the notification shall be returned by the same means to the first government without reimbursement of costs.

ARTICLE XVII.

When a criminal trial which is not of a political character takes place in one of the two countries, and the communication of evidence or of documents which are in the hands of the authorities of the other country, is considered necessary or useful, a request for these shall be made through the diplomatic representative, which request shall be complied with, unless there are special reasons for non-compliance therewith, and these documents shall be returned at the end of the trial.

The contracting governments waive the reimbursement within their respective territories of the costs of sending or returning documents and evidence.

ARTICLE XVIII.

The two governments agree to communicate to each other without reimbursement of expenses, the sentences for crimes or misdemeanors of whatever sort, which may be made by the courts of one of the two countries against the citizens of the other.

This communication shall be made by sending through the diplomatic representative a bulletin or extract of the sentence, accompanied by a French translation, to the government of the country of which the condemned person is a subject.

ARTICLE XIX.

The present treaty shall take effect one month after the exchange of the ratifications thereof.

Crimes committed before this treaty takes effect can not be considered as the objects of requests for extradition, except in cases where the persons whose extradition is asked for shall have taken refuge in the territory of the state from which their extradition is asked after the exchange of ratifications.

Either of the contracting parties may at any time terminate the present treaty on giving to the other six months notice of its intention so to do.

This treaty shall be ratified and the ratifications exchanged in Athens as soon as possible.

In faith whereof, the respective plenipotentiaries have signed it and placed thereon their seals.

Made in duplicate in Athens, the 7/20 of May, 1910.

THE MARQUIS DE PRAT DE NANTOUILLET.
DEMETRIO KALEIGI.

DECLARATIONS BY THE UNITED STATES AND GREAT BRITAIN EXEMPTING
COMMERCIAL TRAVELERS' SAMPLES FROM CUSTOMS INSPECTION.¹

Signed at Washington, December 3 and 8, 1910; effective, January 1, 1911.

Declaration.

In order to facilitate the clearance through the Customs Department of the United Kingdom of Great Britain and Ireland of samples brought into the territory of that country by commercial travellers of the United States of America, such samples being for use as models or patterns for the purpose of obtaining orders and not for sale, the undersigned Alfred Mitchell Innes, His Britannic Majesty's Charge d'Affaires at Washington, duly authorized thereto, and in virtue of a similar Declaration made by Philander C. Knox, Secretary of State of the United States, does hereby declare that, from and after the first day of January, 1911, and until the expiration of one month after the day on which either the United Kingdom or the United States shall give notice of the withdrawal of said Declaration, the officially attested list of such samples, containing a full description thereof issued at the time of exportation by the British consular authorities established in the United States, shall be accepted by the customs officials of the United Kingdom as establishing their character as samples and exempting them from inspection on importation except in so far as may be necessary in order to comply with the law of the United Kingdom.

A. MITCHELL INNES,

His Britannic Majesty's Charge d'Affaires.

WASHINGTON, *December 3rd, 1910.*

Declaration.

In order to facilitate the clearance through the Customs Department of the United States of America of samples brought into the territory of that country by commercial travelers of the United Kingdom of Great Britain and Ireland, such samples being for use as models or patterns for the purpose of obtaining orders and not for sale, the undersigned Philander C. Knox, Secretary of State of the United States, duly authorized thereto, and in virtue of a similar Declaration made by Alfred Mitchell Innes, His Britannic Majesty's Chargé d'Affaires at

¹ U. S. Treaty Series, No. 552.

Washington, does hereby declare that, from and after January 1, 1911, and until the expiration of one month after the day on which either the United States or the United Kingdom shall give notice of the withdrawal of said Declaration, the officially attested list of such samples containing a full description thereof, issued at the time of exportation by the American consular authorities established in the United Kingdom, shall be accepted by the customs officials of the United States as establishing their character as samples and exempting them from inspection on importation except in so far as may be necessary in order to comply with the law of the United States.

P. C. KNOX,

Secretary of State of the United States.

WASHINGTON, December 8, 1910.

CONSULAR CONVENTION BETWEEN THE UNITED STATES AND SWEDEN.¹

Signed at Washington, June 1, 1910; ratifications exchanged, March 18, 1911; proclaimed March 20, 1911.

The President of the United States of America and His Majesty the King of Sweden, being mutually desirous of defining the rights, privileges, and immunities of consular officers of the two countries, and deeming it expedient to conclude a consular convention for that purpose, have accordingly named as their plenipotentiaries:

The President of the United States of America, Philander C. Knox, Secretary of State of the United States of America; and

His Majesty the King of Sweden, Herman Ludvig Fabian de Lagercrantz, his Envoy Extraordinary and Minister Plenipotentiary at Washington;

Who, after having communicated to each other their respective full powers, found to be in good and proper form, have agreed upon the following articles:

ARTICLE I.

Each of the high contracting parties agrees to receive from the other consuls-general, consuls, vice-consuls-general, vice-consuls, deputy consuls-general, deputy consuls, and consular agents in all its ports, cities, and places, except those where it may not be convenient to recognize such

¹ U. S. Treaty Series, No. 557.

officers. This reservation, however, shall not apply to one of the high contracting parties without also applying to every other Power.

ARTICLE II.

The consuls-general, consuls, vice-consuls-general, vice-consuls, deputy consuls-general, deputy consuls, and consular agents of each of the two high contracting parties shall enjoy reciprocally, in the states of the other, all the privileges, exemptions, and immunities that are enjoyed by officers of the same rank and quality of the most favored nation. The said officers, before being admitted to the exercise of their functions and the enjoyment of the immunities thereto pertaining, shall present their commissions in the forms established in their respective countries. The government of each of the two high contracting parties shall furnish the necessary exequatur free of charge, and, on the exhibition of this instrument, the said officers shall be permitted to enjoy the rights, privileges, and immunities granted by this convention.

ARTICLE III.

Consuls-general, consuls, vice-consuls-general, vice-consuls, deputy consuls-general, deputy consuls, and consular agents, citizens of the state by which they are appointed, shall be exempt from arrest except in the case of offenses which the local legislation qualifies as crimes and punishes as such; they shall be exempt from military billetings, service in the regular army or navy, in the militia, or in the national guard; they shall likewise be exempt from all direct taxes — national, state, or municipal — imposed upon persons, either in the nature of capitation tax or in respect to their property, unless such taxes become due on account of the possession of real estate, or for interest on capital invested in the country where said officers exercise their functions, or for income from pensions of public or private nature enjoyed from said country. This exemption shall not, however, apply to consuls-general, consuls, vice-consuls-general, vice-consuls, deputy consuls-general, deputy consuls, or consular agents engaged in any profession, business, or trade; but the said officers shall in such case be subject to the payment of the same taxes that would be paid by any other foreigner under the like circumstances.

ARTICLE IV.

When in a civil case a court of one of the two countries shall desire to receive the judicial declaration or deposition of a consul-general, con-

sul, vice-consul, or consular agent, who is a citizen of the state which appointed him, and who is engaged in no commercial business, it shall request him, in writing, to appear before it, and in case of his inability to do so it shall request him to give his testimony in writing, or shall visit his residence or office to obtain it orally, and it shall be the duty of such officer to comply with this request with as little delay as possible; but in all criminal cases, contemplated by the sixth article of the amendments to the Constitution of the United States, whereby the right is secured to persons charged with crimes to obtain witnesses in their favor, the appearance in court of said consular officers shall be demanded, with all possible regard to the consular dignity and to the duties of his office, and it shall be the duty of such officer to comply with said demand. A similar treatment shall also be extended to the consuls of the United States in Sweden, in the like cases.

ARTICLE V.

Consuls-general, consuls, vice-consuls-general, vice-consuls, deputy consuls-general, deputy consuls, and consular agents may place over the outer door of their offices the arms of their nation, with this inscription: consulate-general, or consulate, or vice-consulate, or consular agency of the United States or of Sweden.

They may also raise the flag of their country on their offices, except in the capital of the country when there is a legation there. They may in like manner raise the flag of their country over the boat employed by them in the port and for the exercise of their functions.

ARTICLE VI.

The consular offices shall at all times be inviolable. The local authorities shall not, under any pretext, invade them. In no case shall they examine or seize the papers there deposited. In no case shall those offices be used as places of asylum. When a consular officer is engaged in other business, the papers relating to the consulate shall be kept separate. Nor shall consular officers be required to produce the official archives in court or to testify as to their contents.

ARTICLE VII.

In the event of the death, incapacity, or absence of consuls-general, consuls, vice-consuls-general, vice-consuls, and consular agents, their chancellors or secretaries, whose official character may have previously

been made known to the Department of State at Washington or to the Ministry for Foreign Affairs in Sweden, may temporarily exercise their functions, and while thus acting shall enjoy all the rights prerogatives, and immunities granted to the incumbents.

ARTICLE VIII.

Consuls-general and consuls may, so far as the laws of their country allow, with the approbation of their respective governments, appoint vice-consuls-general, deputy consuls-general, vice-consuls, deputy consuls, and consular agents in the cities, ports, and places within their consular district. These agents may be selected from among citizens of the United States or of Sweden, or those of other countries. They shall be furnished with a regular commission, and shall enjoy the privileges stipulated for consular officers in this convention, subject to the exceptions specified in Article III.

ARTICLE IX.

Consuls-general, consuls, vice-consuls-general, vice-consuls, and consular agents shall have the right to address the authorities whether, in the United States, of the Union, the States, or the municipalities, or in Sweden, of the State, the Provinces, or the commune, throughout the whole extent of their consular district in order to complain of any infraction of the treaties and conventions between the United States and Sweden, and for the purpose of protecting the rights and interests of their countrymen. If the complaint should not be satisfactorily redressed, the consular officers aforesaid, in the absence of a diplomatic agent of their country, may apply directly to the government of the country where they exercise their functions.

ARTICLE X.

Consuls-general, consuls, vice-consuls-general, vice-consuls, deputy consuls-general, deputy consuls, and consular agents of the respective countries may, as far as may be compatible with the laws of their own country, take at their offices, their private residences, at the residence of the parties concerned, or on board ship, the depositions of the captains and crews of the vessels of their own country and of passengers thereon, as well as the depositions of any citizen or subject of their own country; draw up, attest, certify, and authenticate all unilateral acts, deeds, and testamentary dispositions of their countrymen, as well as all articles of agreement or

contracts to which one or more of their countrymen is or are party; draw up, attest, certify, and authenticate all deeds or written instruments which have for their object the conveyance or encumbrance of real or personal property situated in the territory of the country by which said consular officers are appointed, and all unilateral acts, deeds, testamentary dispositions, as well as articles of agreement or contracts relating to property situated or business to be transacted in the territory of the nation by which the said consular officers are appointed; even in cases where said unilateral acts, deeds, testamentary dispositions, articles of agreement, or contracts are executed solely by citizens or subjects of the country within which said consular officers exercise their functions.

All such instruments and documents thus executed and all copies and translations thereof, when duly authenticated by such consul-general, consul, vice-consul-general, vice-consul, deputy consul-general, deputy consul, or consular agent under his official seal, shall be received as evidence in the United States and in Sweden as original documents or authenticated copies, as the case may be, and shall have the same force and effect as if drawn up by and executed before a notary or public officer duly authorized in the country by which said consular officer was appointed; provided, always, that they have been drawn and executed in conformity to the laws and regulations of the country where they are intended to take effect.

ARTICLE XI.

The respective consuls-general, consuls, vice-consuls-general, vice-consuls, deputy consuls-general, deputy consuls, and consular agents shall have exclusive charge of the internal order of the merchant vessels of their nation, and shall alone take cognizance of any differences which may arise, either at sea or in port, between the captains, officers, and crews, without exception, particularly in reference to the adjustment of wages and the execution of contracts. The local authorities shall not interfere except when the disorder that has arisen is of such a nature as to disturb tranquility and public order on shore or in the port, or when a person of the country or not belonging to the crew shall be concerned therein.

In all other cases the aforesaid authorities shall confine themselves to lending aid to the said consular officers, if they are requested by them to do so, in causing the arrest and imprisonment of any person whose name is inscribed on the crew list whenever, for any cause, the said officers shall think proper.

ARTICLE XII.

The respective consuls-general, consuls, vice-consuls-general, vice-consuls, deputy consuls-general, deputy consuls, and consular agents may cause to be arrested the officers, sailors, and all other persons making part of the crews in any manner whatever, of ships of war or merchant vessels of their nation, who may be guilty, or be accused, of having deserted said ships and vessels, for the purpose of sending them on board or back to their country. To this end they shall address the competent local authorities of the respective countries, in writing, and shall make to them a written request for the deserters, supporting it by the exhibition of the register of the vessel and list of the crew, or by other official documents, to show that the persons claimed belong to the said ship's company. Upon such request thus supported, the delivery to them of the deserters can not be refused, unless it should be duly proved that they were citizens of the country where their extradition is demanded at the time of their being inscribed on the crew list. All the necessary aid and protection shall be furnished for the pursuit, seizure, and arrest of the deserters, who shall even be put and kept in the prisons of the country, at the request and expense of the consular officers, until there may be an opportunity for sending them away. If, however, such an opportunity should not present itself within the space of two months, counting from the day of the arrest, the deserters shall be set at liberty, nor shall they be again arrested for the same cause.

If the deserter has committed any misdemeanor, and the court having the right to take cognizance of the offense shall claim and exercise it, the delivery of the deserter shall be deferred until the decision of the court has been pronounced and executed.

ARTICLE XIII.

All proceedings relative to the salvage of vessels of the United States wrecked upon the coasts of Sweden, and of Swedish vessels wrecked upon the coasts of the United States, shall be directed by the consuls-general, consuls, vice-consuls-generals, and vice-consuls of the two countries, respectively, and until their arrival by the respective consular agents, wherever an agency exists. In the places and ports where an agency does not exist, the local authorities until the arrival of the consular officer in whose district the wreck may have occurred, and who shall be immediately informed of the occurrence, shall take all necessary measures for the protection of persons and the preservation of wrecked

property. The local authorities shall not otherwise interfere than for the maintenance of order, the protection of the interests of the salvors, if these do not belong to the crews that have been wrecked, and to carry into effect the arrangements made for the entry and exportation of the merchandise saved. It is understood that such merchandise is not to be subjected to any custom-house charges, unless it be intended for consumption in the country where the wreck may have taken place.

The intervention of the local authorities in these different cases shall occasion no expense of any kind, except such as may be caused by the operations of salvage and the preservation of the goods saved, together with such as would be incurred under similar circumstances by vessels of the nation.

ARTICLE XIV.

In case of the death of any citizen of Sweden in the United States or of any citizen of the United States in the Kingdom of Sweden without having in the country of his decease any known heirs or testamentary executors by him appointed, the competent local authorities shall at once inform the nearest consular officer of the nation to which the deceased belongs of the circumstances, in order that the necessary information may be immediately forwarded to parties interested.

In the event of any citizens of either of the two contracting parties dying without will or testament, in the territory of the other contracting party, the consul-general, consul, vice-consul-general, or vice-consul of the nation to which the deceased may belong, or, in his absence, the representative of such consul-general, consul, vice-consul-general, or vice-consul, shall, so far as the laws of each country will permit and pending the appointment of an administrator and until letters of administration have been granted, take charge of the property left by the deceased for the benefit of his lawful heirs and creditors, and, moreover, have the right to be appointed as administrator of such estate.

It is understood that when, under the provisions of this article, any consul-general, consul, vice-consul-general, or vice-consul, or the representative of each or either, is acting as executor or administrator of the estate of one of his deceased nationals, said officer or his representative shall, in all matters connected with, relating to, or growing out of the settlement of such estates, be in such capacities as fully subject to the jurisdiction of the courts of the country wherein the estate is situated as if said officer or representative were a citizen of that country and possessed of no representative capacity whatsoever.

The citizens of each of the contracting parties shall have power to dispose of their personal goods within the jurisdiction of the other, by sale, donation, testament, or otherwise, and their representatives, being citizens of the other party, shall succeed to their personal goods, whether by testament or *ab intestato*, and they may in accordance with and acting under the provisions of the laws of the jurisdiction in which the property is found take possession thereof, either by themselves or others acting for them, and dispose of the same at their will, paying such dues only as the inhabitants of the country wherein such goods are shall be subject to pay in like cases.

As for the case of real estate, the citizens and subjects of the two contracting parties shall be treated on the footing of the most-favored nation.

ARTICLE XV.

The present convention shall remain in force for the space of ten years, counting from the day of the exchange of the ratifications, which shall be made in conformity with the respective constitutions of the two countries, and exchanged at Washington as soon as possible within the period of one year. In case neither party gives notice, twelve months before the expiration of the said period of ten years, of its intention not to renew this convention, it shall remain in force one year longer, and so on, from year to year, until the expiration of a year from the day on which one of the parties shall have given such notice.

In faith whereof the respective plenipotentiaries have signed this convention, and have hereunto affixed their seals.

Done in duplicate at the City of Washington this first day of June, one thousand nine hundred and ten.

[SEAL]

P. C. KNOX.

[SEAL]

H. L. F. LAGERCRANTZ.

OFFICIAL DOCUMENTS

ARBITRATION CONVENTION BETWEEN THE UNITED KINGDOM AND BRAZIL.¹

Signed at Petropolis, June 18, 1909; ratifications exchanged at Rio de Janeiro, May 6, 1911.

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and the President of the United States of Brazil, in pursuance of the principles set forth in Articles 37 to 42 of the Convention for the Pacific Settlement of International Disputes signed at The Hague the 18th October 1907, desiring to enter into negotiations for the conclusion of an arbitration convention, have named as their plenipotentiaries, to wit:

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, Milne Cheetham, Esquire, His Majesty's Chargé d'Affaires *ad interim*; and

The President of the United States of Brazil, Senhor José Maria da Silva Paranhos do Rio-Branco, Minister of State for Foreign Relations; Who, duly authorized, have agreed upon the following articles:

ARTICLE I.

Differences of whatever nature which may arise between the high contracting parties and which it may not have been possible to settle by diplomacy, shall be referred to the Permanent Court of Arbitration at The Hague, to the chief of a friendly government or to such other arbitrator or tribunal as the parties jointly select, provided, nevertheless, that they do not affect the vital interests, the independence or the honour of the two contracting states and do not concern the interests of third parties.

ARTICLE II.

In each individual case, the high contracting parties, before appealing to the Permanent Court of Arbitration, to other arbitrators or to a single arbitrator, shall conclude a special agreement defining clearly the matter in dispute, the scope of the powers of the arbitrator or arbitrators, and

¹ Great Britain, Treaty Series, 1911, No. 12.

the periods to be fixed for the formation of the arbitral tribunal or the selection of the arbitrator or arbitrators, and the several stages of the procedure.

It is understood that on the part of the United States of Brazil such special agreements will be made by the President of the Republic, with the approval of the two Houses of the National Congress thereof, His Majesty's Government reserving the right before concluding a special agreement in any matter affecting the interests of a self-governing dominion of the British Empire to obtain the concurrence therein of the government of that dominion.

Such agreements shall be binding only when confirmed by the two governments by an exchange of notes.

ARTICLE III.

The present convention shall be in force for a period of five years, dating from the day of the exchange of its ratifications. If not denounced six months before the conclusion of the said period, it shall be renewed for another period of five years, and so on successively.

ARTICLE IV.

The present convention shall be ratified by His Britannic Majesty; and by the President of the United States of Brazil after its approval by the National Congress thereof.

The ratifications shall be exchanged at the City of Rio de Janeiro as soon as possible.

Done in duplicate at Petropolis, in the English and Portuguese languages, this eighteenth day of June, in the year one thousand nine hundred and nine.

(L. S.) MILNE CHEETHAM.

(L. S.) RIO-BRANCO.

ARBITRATION CONVENTION BETWEEN THE UNITED STATES AND BRAZIL.¹

Signed at Washington, January 23, 1909; ratifications exchanged July 26, 1911.

The President of the United States of America and the President of the United States of Brazil, desiring to conclude an arbitration convention in pursuance of the principles set forth in Articles XV to XIX and

¹ U. S. Treaty Series, No. 562.

in Article XXI of the Convention for the Pacific Settlement of International Disputes, signed at The Hague on July 29th, 1899, and in Articles XXXVII to XL and Article XLII of the convention signed at the same city of The Hague on October 18th, 1907, have named as their plenipotentiaries, to wit:

The President of the United States of America, Elihu Root, Secretary of State of the United States; and

The President of the United States of Brazil, His Excellency Senhor Joaquim Nabuco, ambassador extraordinary and plenipotentiary to the Government of the United States of America, Member of the Permanent Court of Arbitration of The Hague;

Who, after having communicated to one another their full powers, found in good and due form, have agreed upon the following articles:

ARTICLE I.

Differences which may arise of a legal nature or relating to the interpretation of treaties existing between the two high contracting parties, and which it may not have been possible to settle by diplomacy, shall be referred to the Permanent Court of Arbitration established at The Hague, provided, nevertheless, that they do not affect the vital interests, the independence, or the honor of the two high contracting parties, and do not concern the interests of third parties, and it being further understood that in case either of the two high contracting parties shall so elect any arbitration pursuant hereto shall be had before the chief of a friendly state or arbitrators selected without limitation to the lists of the aforesaid Hague Tribunal.

ARTICLE II.

In each individual case the two high contracting parties, before appealing to the Permanent Court of Arbitration of The Hague or to other arbitrators or arbitrator, shall conclude a special agreement defining clearly the matter in dispute, the scope of the powers of the arbitrator or arbitrators and the periods to be fixed for the formation of the court, or for the selection of the arbitrator or arbitrators, and for the several stages of the procedure. It is understood that on the part of the United States of America such special agreement will be made by the President of the United States of America by and with the advice and consent of the Senate thereof, and by the President of the United States of Brazil with the approval of the two Houses of the Federal Congress thereof.

ARTICLE III.

The present convention will be in force for a period of five years, dating from the day of the exchange of its ratifications, and, if not denounced six months before the end of the aforesaid term, will be renewed for an equal period of five years, and so on, successively.

ARTICLE IV.

The present convention shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof; and by the President of the United States of Brazil, with the authorization of the Federal Congress thereof. The ratifications shall be exchanged in the city of Washington as soon as possible, and the convention shall take effect immediately after the exchange of the ratifications.

In testimony whereof, we, the aforesaid plenipotentiaries, have signed the present instrument in duplicate, in the English and Portuguese languages, and have affixed thereto our seals.

Done in the city of Washington, this 23rd day of January, in the year one thousand nine hundred and nine.

ELIHU ROOT [SEAL]
JOAQUIM NABUCO [SEAL]

AGREEMENT BETWEEN THE UNITED KINGDOM AND CHINA RELATING TO
OPIUM.¹

Signed in English and Chinese texts at Peking, May 8, 1911.

Together with notes relating thereto exchanged on that day.

Under the arrangement concluded between His Majesty's Government and the Chinese Government three years ago, His Majesty's Government undertook that, if during the period of three years from the 1st day of January, 1908, the Chinese Government should duly carry out the arrangement on their part for reducing the production and consumption of opium in China, they would continue in the same proportion of 10 per cent the annual diminution of the export of opium from India until the completion of the full period of ten years in 1917.

¹ Great Britain, Treaty Series, 1911, No. 13.

His Majesty's Government, recognising the sincerity of the Chinese Government and their pronounced success in diminishing the production of opium in China during the past three years, are prepared to continue the arrangement of 1907 for the unexpired period of seven years on the following conditions:

ARTICLE I.

From the 1st day of January, 1911, China shall diminish annually for seven years the production of opium in China in the same proportion as the annual export from India is diminished in accordance with the terms of this agreement and of the annex appended hereto until total extinction in 1917.

ARTICLE II.

The Chinese Government have adopted a most rigorous policy for prohibiting the production, the transport, and the smoking of native opium, and His Majesty's Government have expressed their agreement therewith and willingness to give every assistance. With a view to facilitating the continuance of this work, His Majesty's Government agree that the export of opium from India to China shall cease in less than seven years if clear proof is given of the complete absence of production of native opium in China.

ARTICLE III.

His Majesty's Government further agree that Indian opium shall not be conveyed into any province in China which can establish by clear evidence that it has effectively suppressed the cultivation and import of native opium.

It is understood, however, that the closing of the ports of Canton and Shanghai to the import of Indian opium shall not take effect except as the final step on the part of the Chinese Government for the completion of the above measure.

ARTICLE IV.

During the period of this agreement it shall be permissible for His Majesty's Government to obtain continuous evidence of the diminution of cultivation by local enquiries and investigation conducted by one or more British officials, accompanied, if the Chinese Government so desire, by a Chinese official. Their decision as to the extent of cultivation shall be accepted by both parties to this agreement.

During the above period one or more British officials shall be given facilities for reporting on the taxation and trade restrictions on opium away from the treaty ports.

ARTICLE V.

By the arrangement of 1907 His Majesty's Government agreed to the dispatch by China of an official to India to watch the opium sales on condition that such official would have no power of interference. His Majesty's Government further agree that the official so dispatched may be present at the packing of the opium on the same condition.

ARTICLE VI.

The Chinese Government undertake to levy a uniform tax on all opium grown in the Chinese Empire. His Majesty's Government consent to increase the present consolidated import duty on Indian opium to 350 taels per chest of 100 catties, such increase to take effect as soon as the Chinese Government levy an equivalent excise tax on all native opium.

ARTICLE VII.

On confirmation of this agreement, and beginning with the collection of the new rate of consolidated import duty, China will at once cause to be withdrawn all restrictions placed by the provincial authorities on the wholesale trade in Indian opium such as those recently imposed at Canton and elsewhere, and also all taxation on the wholesale trade other than the consolidated import duty, and no such restrictions or taxation shall be again imposed so long as the additional article to the Chefoo agreement remains as at present in force.

It is also understood that Indian raw opium, having paid the consolidated import duty, shall be exempt from any further taxation whatsoever in the port of import.

Should the conditions contained in the above two clauses not be duly observed, His Majesty's Government shall be at liberty to suspend or terminate this agreement at any time.

The foregoing stipulations shall not derogate in any manner from the force of the laws already published or hereafter to be published by the Chinese Government to suppress the smoking of opium and to regulate the retail trade in the drug in general.

ARTICLE VIII.

With a view of assisting China in the suppression of opium, His Majesty's Government undertake that from the year 1911 the Government of India will issue an export permit with a consecutive number for each chest of Indian opium declared for shipment to or for consumption in China.

During the year 1911 the number of permits so issued shall not exceed 30,600, and shall be progressively reduced annually by 5,100 during the remaining six years ending 1917.

A copy of each permit so issued shall before shipment of opium declared for shipment to or for consumption in China be handed to the Chinese official for transmission to his government or to the customs authorities in China.

His Majesty's Government undertake that each chest of opium for which such permit has been granted shall be sealed by an official deputed by the Indian Government, in the presence of the Chinese official if so requested.

The Chinese Government undertake that chests of opium so sealed and accompanied by such permits may be imported into any treaty port of China without let or hindrance if such seals remain unbroken.

ARTICLE IX.

Should it appear on subsequent experience desirable at any time during the unexpired period of seven years to modify this agreement or any part thereof, it may be revised by mutual consent of the two high contracting parties.

ARTICLE X.

This agreement shall come into force on the date of signature.

In witness whereof the undersigned, duly authorized thereto by their respective governments, have signed the same and affixed thereto their seals.

Done at Peking in quadruplicate (four in English and four in Chinese) this 8th day of May, in the year 1911, being the 10th day of the 4th month of the 3rd year of Hsuan T'ung.

(L. s.) J. N. JORDAN.

(Signed in Chinese characters),

(L. s.) TSOU CHIA-LAI.

ANNEX.

On the date of the signature of the agreement a list shall be taken by the Commissioners of Customs, acting in concert with the colonial and consular officials, of all uncertified Indian opium in bond at the treaty ports, and of all uncertified Indian opium in stock in Hong Kong which is *bona fide* intended for the Chinese market, and all such opium shall be marked with labels, and on payment of 110 taels consolidated import duty shall be entitled to the same treaty rights and privileges in China as certificated opium.

Opium so marked and in stock in Hong Kong must be exported to a Chinese port within seven days of the signature of the agreement.

All other uncertificated Indian opium shall, for a period of two months from the date of the signature of the agreement, be landed at the ports of Shanghai and Canton only, and at the expiration of this period all treaty ports shall be closed to uncertificated opium, provided the Chinese Government have obtained the consent of the other treaty Powers.

The Imperial Maritime Customs shall keep a return of all uncertificated Indian opium landed at Shanghai and Canton during this period of two months, other than opium marked and labelled as provided above, and such opium shall pay the new rate of consolidated import duty, and shall not be re-exported in bond to other treaty ports.

In addition to the annual reduction of 5,100 chests already agreed upon, His Majesty's Government agree further to reduce the import of Indian opium during each of the years 1912, 1913, and 1914 by an amount equal to one-third of the total ascertained amount of the uncertificated Indian opium in bond in Chinese treaty ports and in stock in Hong Kong on the date of signature plus one-third of the amount of uncertificated Indian opium landed during the ensuing two months at Shanghai and Canton.

Done at Peking this 8th day of May in the year 1911, being the 10th day of the 4th month of the 3rd year of Hsuan T'ung.

(L. s.) J. N. JORDAN.

(Signed in Chinese characters),

(L. s.) TSOU CHIA-LAI.

Sir J. Jordan to Prince Ch'ing.

PEKING, May 8, 1911.

Your Highness,

With reference to the Opium Agreement signed this day and the enquiry which your highness's board addressed to me regarding the taxation to be imposed on certificated opium, I have the honour to state that certificated opium removed from bond at the treaty ports or imported into China after the signature of the agreement will be liable to the new duty of 350 taels per chest of 100 catties.

I avail, etc.,

J. N. Jordan.

Prince Ch'ing to Sir J. Jordan.

PEKING, May 8, 1911.

(Translation.)

Sir,

With reference to the statement in the 6th article of the Opium Agreement which has been signed to-day to the effect that the Chinese Government will levy a uniform excise tax on all native opium, I have the honour to inform your excellency that the Board of Finance has now decided to levy a tax of 230 taels on every 100 catties of native opium, which is equivalent to the increased rate of duty on Indian opium, such tax to take effect at the same time as the new duty on Indian opium.

I avail, &c.

Prince Ch'ing.

EXTRADITION TREATY BETWEEN THE UNITED STATES AND FRANCE.¹

Signed at Paris, January 6, 1909; ratifications exchanged at Paris, June 27, 1911.

The United States of America and the Republic of France, being desirous to confirm their friendly relations and to promote the cause of justice, have resolved to conclude a new treaty for the extradition of fugitives from justice, and have appointed for that purpose the following plenipotentiaries:

The President of the United States of America:

¹ U. S. Treaty Series, No. 561.

His Excellency Mr. Henry White, ambassador extraordinary and plenipotentiary of the United States of America to the French Republic,

And the President of the French Republic:

His Excellency M. Stephen Pichon, senator, Minister for Foreign Affairs;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following articles:

ARTICLE I.

The Government of the United States and the Government of France mutually agree to deliver up persons who, having been charged with or convicted of any of the crimes or offences specified in the following article, committed within the jurisdiction of one of the contracting parties, shall seek an asylum or be found within the territories of the other: provided that this shall only be done upon such evidence of criminality as, according to the laws of the place where the fugitive or person so charged shall be found, would justify his or her apprehension and commitment for trial if the crime or offence had been there committed.

ARTICLE II.

Extradition shall be granted for the following crimes and offences:

1° Murder, assassination, parricide, infanticide and poisoning; manslaughter, when voluntary; assault with intent to commit murder.

2° Rape, abortion, bigamy.

3° Arson.

4. Robbery, burglary, house-breaking or shop-breaking.

5. Forgery; the utterance of forged papers, the forgery or falsification of official acts of government, of public authority, or of courts of justice, or the utterance of the thing forged or falsified.

6. The counterfeiting, falsifying or altering of money, whether coin or paper, or of instruments of debt created by national, state, provincial, municipal or other governments, or of coupons thereof, or of bank-notes, or the utterance or circulation of the same; or the counterfeiting, falsifying, or altering of seals of state.

7. Fraud or breach of trust by a bailee, banker, agent, factor, executor, administrator, guardian, trustee or other person acting in a fiduciary capacity, or director or member or officer of any company, when such act is made criminal by the laws of both countries, and the amount of money

or the value of the property misappropriated is not less than two hundred dollars, or one thousand francs.

Embezzlement by public officers or depositaries; embezzlement by persons hired or salaried, to the detriment of their employers.

8. Larceny; obtaining money, valuable securities or other property by false pretenses, when such act is made criminal by the laws of both countries, and the amount of money or the value of the property fraudulently obtained is not less than two hundred dollars or one thousand francs.

9. Perjury, subornation of perjury.

10. Child-stealing, or abduction of a minor under the age of 14 for a boy and of 16 for a girl.

11. Kidnapping of minors or adults.

12. Willful and unlawful destruction or obstruction of railroads, which endangers human life.

13 *a.* Piracy, by the law of nations.

b. The act by any person, being or not being one of the crew of a vessel, of taking possession of such vessel by fraud or violence.

c. Wrongfully sinking or destroying a vessel at sea.

d. Revolt or conspiracy to revolt, by two or more persons on board a ship on the high seas, against the authority of the captain or master.

e. Assaults on board a ship on the high seas, with intent to do grievous bodily harm.

14. Crimes and offences against the laws of both countries for the suppression of slavery and slave-trading.

15. Receiving money, valuable securities or other property knowing the same to have been unlawfully obtained, when such act is made criminal by the laws of both countries and the amount of money or the value of the property so received is not less than two hundred dollars or one thousand francs.

Extradition shall also be granted for participation or complicity in or attempt to commit any of the crimes or offences above mentioned when such participation, complicity, or attempt is punishable by the laws of the two countries.

ARTICLE III.

Requisitions for the surrender of fugitives from justice shall be made by the diplomatic agents of the contracting parties, or, in the absence of these from the country or its seat of government, they may be made by the consular officers.

If the person whose extradition is requested shall have been convicted of a crime or offence, a duly authenticated copy of the sentence of the court in which he was convicted, or, if the fugitive is merely charged with a crime or offence, a duly authenticated copy of the warrant of arrest in the country where the crime or offence has been committed and of the depositions or other evidence upon which such warrant was issued, shall be produced.

The extradition of fugitives under the provisions of this treaty shall be carried out in the United States and in France, respectively, in conformity with the laws regulating extradition for the time being in force in the state on which the demand for surrender is made.

ARTICLE IV.

The arrest and detention of a fugitive may be applied for on information, even by telegraph, of the existence of a judgment of conviction or of a warrant of arrest.

In France, the application for arrest and detention shall be addressed to the Minister of Foreign Affairs who will transmit it to the proper department.

In the United States, the application for arrest and detention shall be addressed to the Secretary of State, who shall deliver a warrant certifying that the application is regularly made and requesting the competent authorities to take action thereon in conformity to statute.

In both countries, in case of urgency, the application for arrest and detention may be addressed directly to the competent magistrate in conformity to the statutes in force.

In both countries, the person provisionally arrested shall be released, unless within forty days from the date of arrest in France, or from the date of commitment in the United States, the formal requisition for surrender with the documentary proofs hereinbefore prescribed be made as aforesaid by the diplomatic agent of the demanding government or, in his absence, by a consular officer thereof.

ARTICLE V.

Neither of the contracting parties shall be bound to deliver up its own citizens or subjects under the stipulations of this convention.

ARTICLE VI.

A fugitive criminal shall not be surrendered if the offence in respect of which his surrender is demanded be of a political character, or if he

proves that the requisition for his surrender has, in fact, been made with a view to try or punish him for an offence of a political character.

If any question shall arise as to whether a case comes within the provisions of this article, the decision of the authorities of the government on which the demand for surrender is made shall be final.

ARTICLE VII.

No person surrendered by either of the high contracting parties to the other shall be triable or tried or be punished for any crime or offence committed prior to his extradition, other than the offence for which he was delivered up, nor shall such person be arrested or detained on civil process for a cause accrued before extradition, unless he has been at liberty for one month after having been tried, to leave the country, or, in case of conviction, for one month after having suffered his punishment or having been pardoned.

ARTICLE VIII.

Extradition shall not be granted, in pursuance of the provisions of this convention, if the person claimed has been tried for the same act in the country to which the requisition is addressed, or if legal proceedings or the enforcement of the penalty for the act committed by the person claimed have become barred by limitation, according to the laws of the country to which the requisition is addressed.

ARTICLE IX.

If the person whose extradition may be claimed, pursuant to the stipulations hereof, be actually under prosecution for a crime or offence in the country where he has sought asylum, or shall have been convicted thereof, his extradition may be deferred until such proceedings be terminated, and until such criminal shall be set at liberty in due course of law.

ARTICLE X.

If the individual claimed by one of the high contracting parties, in pursuance of the present treaty, shall also be claimed by one or several other Powers on account of crimes or offences committed within their respective jurisdictions, his extradition shall be granted to the state whose demand is first received; provided, that the government from which extradition is asked is not bound by treaty, in case of concurrent demands, to give preference to the one earliest in date, in which event that

shall be the rule; and provided that no other arrangement is made between the demanding governments according to which preference may be given either on account of the gravity of the crime committed or for any other reason.

ARTICLE XI.

All articles seized which were in the possession of the person to be surrendered at the time of his apprehension, whether being the proceeds of the crime or offence charged, or being material as evidence in making proof of the crime or offence, shall, so far as practicable, and if the competent authority of the state applied to orders the delivery thereof, be given up when the extradition takes place. Nevertheless, the rights of third parties with regard to the articles aforesaid shall be duly respected.

ARTICLE XII.

The expenses incurred in the arrest, detention, examination and delivery of fugitives under this treaty shall be borne by the state in whose name the extradition is sought; provided, that the demanding government shall not be compelled to bear any expense for the services of such public officers or functionaries of the government from which extradition is sought as receive a fixed salary; and provided, that the charge for the services of such public officers or functionaries as receive only fees or perquisites shall not exceed their customary fees for the acts or services performed by them had such acts or services been performed in ordinary criminal proceedings under the laws of the country of which they are officers or functionaries.

ARTICLE XIII.

In the colonies and other possessions of the two high contracting parties, the manner of proceeding may be as follows:

The requisition for the surrender of a fugitive criminal who has taken refuge in a colony or foreign possession of either party may be made to the governor or chief authority of such colony or possession by the chief consular officer of the other in such colony or possession; or if the fugitive has escaped from a colony or foreign possession of the party on whose behalf the requisition is made, by the governor or chief authority of such colony or possession.

Such requisitions may be disposed of, subject always, as nearly as may be, to the provisions of this treaty, by the respective governors or chief authorities, who, however, shall be at liberty either to grant the surrender or refer the matter to their government.

ARTICLE XIV.

The present treaty shall take effect on the thirtieth day after the date of the exchange of ratifications, and shall not operate retroactively.

On the day on which it takes effect, the conventions of November 9, 1843, February 24, 1845, and February 10, 1858, shall cease to be in force except as to crimes therein enumerated and committed prior to that date.

The ratifications of this treaty shall be exchanged at Paris as soon as possible, and it shall remain in force for a period of six months after either of the two governments shall have given notice of a purpose to terminate it.

In witness whereof, the respective plenipotentiaries have signed the above articles both in English and the French languages and have hereunto affixed their seals.

Done in duplicate at Paris, on the 6th January 1909,

[SEAL] HENRY WHITE

[SEAL] S. PICHON

GENERAL ARBITRATION TREATY BETWEEN THE UNITED STATES OF AMERICA
AND THE FRENCH REPUBLIC.¹

Signed at Washington and Paris, August 3, 1911.

[Unratified at the date of publication in the JOURNAL.]

The United States of America and the French Republic being equally desirous of perpetuating the firm, inviolable and universal peace, which has happily existed between the two nations from the earliest days of American independence, and which has been confirmed and strengthened by their close relations of friendship and commerce, and there being no important question of difference now outstanding between them, and both nations being resolved that no future difference shall be a cause of hostilities between them or interrupt their good relations;

The high contracting parties have, therefore, determined, in furtherance of this end, to conclude a treaty extending the scope and obligations of the policy of arbitration adopted in their present arbitration treaty of February 10, 1908, so as to exclude certain exceptions contained in that

¹ Confidential Executive I, 62d Cong., 1st Session.

treaty and to provide means for the peaceful solution of all questions of difference which it shall be found impossible in future to settle by diplomacy.

And for that purpose they have appointed as their respective plenipotentiaries:

The President of the United States of America, the Honorable Philander C. Knox, Secretary of State of the United States; and
The President of the French Republic, His Excellency J. J. Jusserand, Ambassador of the French Republic at Washington;
Who, duly authorized, have agreed upon the following articles:

ARTICLE I.

All differences hereafter arising between the high contracting parties, which it has not been possible to adjust by diplomacy, relating to international matters in which the high contracting parties are concerned by virtue of a claim of right made by one against the other under treaty or otherwise, and which are justiciable in their nature by reason of being susceptible of decision by the application of the principles of law or equity, shall be submitted to the Permanent Court of Arbitration established at The Hague by the Convention of October 18, 1907, or to some other arbitral tribunal as may be decided in each case by special agreement, which special agreement shall provide for the organization of such tribunal if necessary, define the scope of the powers of the arbitrators, the question or questions at issue, and settle the terms of reference and the procedure thereunder.

The provisions of Articles 37 to 90, inclusive, of the Convention for the Pacific Settlement of International Disputes concluded at the Second Peace Conference at The Hague on the 18th October, 1907, so far as applicable, and unless they are inconsistent with or modified by the provisions of the special agreement to be concluded in each case, and excepting Articles 53 and 54 of such convention, shall govern the arbitration proceedings to be taken under this treaty.

The special agreement in each case shall be made on the part of the United States by the President of the United States, by and with the advice and consent of the Senate thereof, and on the part of France subject to the procedure required by the constitutional laws of France.

Such agreements shall be binding when confirmed by the two governments by an exchange of notes.

ARTICLE II.

The high contracting parties further agree to institute as occasion arises, and as hereinafter provided, a joint high commission of inquiry to which, upon the request of either party, shall be referred for impartial and conscientious investigation any controversy between the parties within the scope of Article I, before such controversy has been submitted to arbitration, and also any other controversy hereafter arising between them even if they are not agreed that it falls within the scope of Article I; provided, however, that such reference may be postponed until the expiration of one year after the date of the formal request therefor, in order to afford an opportunity for diplomatic discussion and adjustment of the questions in controversy, if either party desires such postponement.

Whenever a question or matter of difference is referred to the joint high commission of inquiry, as herein provided, each of the high contracting parties shall designate three of its nationals to act as members of the commission of inquiry for the purposes of such reference; or the commission may be otherwise constituted in any particular case by the terms of reference, the membership of the commission and the terms of reference to be determined in each case by an exchange of notes.

The provisions of Articles 9 to 36, inclusive, of the Convention for the Pacific Settlement of International Disputes concluded at The Hague on the 18th October, 1907, so far as applicable and unless they are inconsistent with the provisions of this treaty, or are modified by the terms of reference agreed upon in any particular case, shall govern the organization and procedure of the commission.

ARTICLE III.

The joint high commission of inquiry, instituted in each case as provided for in Article II, is authorized to examine into and report upon the particular questions or matters referred to it, for the purpose of facilitating the solution of disputes by elucidating the facts, and to define the issues presented by such questions, and also to include in its report such recommendations and conclusions as may be appropriate.

The reports of the commission shall not be regarded as decisions of the questions or matters so submitted either on the facts or on the law, and shall in no way have the character of an arbitral award.

It is further agreed, however, that in cases in which the parties disagree as to whether or not a difference is subject to arbitration under Article I

of this treaty, that question shall be submitted to the joint high commission of inquiry; and if all or all but one of the members of the commission agree and report that such difference is within the scope of Article I, it shall be referred to arbitration in accordance with the provisions of this treaty.

ARTICLE IV.

The commission shall have power to administer oaths to witnesses and take evidence on oath whenever deemed necessary in any proceeding, or inquiry, or matter within its jurisdiction under this treaty; and the high contracting parties agree to adopt such legislation as may be appropriate and necessary to give the commission the powers above mentioned, and to provide for the issue of subpoenas and for compelling the attendance of witnesses in the proceedings before the commission.

On the inquiry both sides must be heard, and each party is entitled to appoint an agent, whose duty it shall be to represent his government before the commission and to present to the commission, either personally or through counsel retained for that purpose, such evidence and arguments as he may deem necessary and appropriate for the information of the commission.

ARTICLE V.

The commission shall meet whenever called upon to make an examination and report under the terms of this treaty, and the commission may fix such times and places for its meetings as may be necessary, subject at all times to special call or direction of the two governments. Each commissioner, upon the first joint meeting of the commission after his appointment, shall, before proceeding with the work of the commission, make and subscribe a solemn declaration in writing that he will faithfully and impartially perform the duties imposed upon him under this treaty, and such declaration shall be entered on the records of the proceedings of the commission.

The United States and French sections of the commission may each appoint a secretary, and these shall act as joint secretaries of the commission at its joint sessions, and the commission may employ experts and clerical assistants from time to time as it may deem advisable. The salaries and personal expenses of the commission and of the agents and counsel and of the secretaries shall be paid by their respective governments, and all reasonable and necessary joint expenses of the commission incurred by it shall be paid in equal moieties by the high contracting parties.

ARTICLE VI.

This treaty shall supersede the arbitration treaty concluded between the high contracting parties on February 10, 1908.

ARTICLE VII.

The present treaty shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by the President of the French Republic, in accordance with the constitutional laws of France. The ratifications shall be exchanged at Washington as soon as possible and the treaty shall take effect on the date of the exchange of its ratifications. It shall thereafter remain in force continuously unless and until terminated by twelve months' written notice given by either high contracting party to the other.

In faith whereof the respective plenipotentiaries have signed this treaty in duplicate in the English and French languages and have hereunto affixed their seals.

Done at Washington and Paris this third day of August, one thousand nine hundred and eleven.

[SEAL.]

PHILANDER C. KNOX.

[SEAL.]

JUSSERAND.

GENERAL ARBITRATION TREATY BETWEEN GREAT BRITAIN AND THE UNITED STATES.¹

Signed at Washington, August 3, 1911.

[Unratified at the date of publication in the JOURNAL]

The United States of America and His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, being equally desirous of perpetuating the peace, which has happily existed between the two nations, as established in 1814 by the Treaty of Ghent, and has never since been interrupted by an appeal to arms, and which has been confirmed and strengthened in recent years by a number of treaties whereby pending controversies have been adjusted by agreement or settled by arbitration or otherwise provided for; so that now for the first time there are no im-

¹ Confidential Executive H, 62d Cong., 1st Session.

portant questions of difference outstanding between them, and being resolved that no future differences shall be a cause of hostilities between them or interrupt their good relations and friendship;

The high contracting parties have, therefore, determined, in furtherance of these ends, to conclude a treaty extending the scope and obligations of the policy of arbitration adopted in their present arbitration treaty of April 4, 1908, so as to exclude certain exceptions contained in that treaty and to provide means for the peaceful solution of all questions of difference which it shall be found impossible in future to settle by diplomacy, and for that purpose they have appointed as their respective plenipotentiaries:

The President of the United States of America, the Honorable Philander C. Knox, Secretary of State of the United States; and His Britannic Majesty, the Right Honorable James Bryce, O. M., his Ambassador Extraordinary and Plenipotentiary at Washington;

Who, having communicated to one another their full powers, found in good and due form, have agreed upon the following articles:

ARTICLE I.

All differences hereafter arising between the high contracting parties, which it has not been possible to adjust by diplomacy, relating to international matters in which the high contracting parties are concerned by virtue of a claim of right made by one against the other under treaty or otherwise, and which are justiciable in their nature by reason of being susceptible of decision by the application of the principles of law or equity, shall be submitted to the Permanent Court of Arbitration established at The Hague by the Convention of October 18, 1907, or to some other arbitral tribunal as may be decided in each case by special agreement, which special agreement shall provide for the organization of such tribunal if necessary, define the scope of the powers of the arbitrators, the question or questions at issue, and settle the terms of reference and the procedure thereunder.

The provisions of Articles 37 to 90, inclusive, of the Convention for the Pacific Settlement of International Disputes concluded at the Second Peace Conference at The Hague on the 18th October, 1907, so far as applicable, and unless they are inconsistent with or modified by the provisions of the special agreement to be concluded in each case, and excepting Articles 53 and 54 of such convention, shall govern the arbitration proceedings to be taken under this treaty.

The special agreement in each case shall be made on the part of the United States by the President of the United States, by and with the advice and consent of the Senate thereof, His Majesty's Government reserving the right before concluding a special agreement in any matter affecting the interests of a self-governing dominion of the British Empire to obtain the concurrence therein of the government of that dominion.

Such agreements shall be binding when confirmed by the two governments by an exchange of notes.

ARTICLE II.

The high contracting parties further agree to institute as occasion arises, and as hereinafter provided, a joint high commission of inquiry to which, upon the request of either party, shall be referred for impartial and conscientious investigation any controversy between the parties within the scope of Article I, before such controversy has been submitted to arbitration, and also any other controversy hereafter arising between them even if they are not agreed that it falls within the scope of Article I; provided, however, that such reference may be postponed until the expiration of one year after the date of the formal request therefor, in order to afford an opportunity for diplomatic discussion and adjustment of the questions in controversy, if either party desires such postponement.

Whenever a question or matter of difference is referred to the joint high commission of inquiry, as herein provided, each of the high contracting parties shall designate three of its nationals to act as members of the commission of inquiry for the purposes of such reference; or the commission may be otherwise constituted in any particular case by the terms of reference, the membership of the commission and the terms of reference to be determined in each case by an exchange of notes.

The provisions of Articles 9 to 36, inclusive, of the Convention for the Pacific Settlement of International Disputes concluded at The Hague on the 18th October, 1907, so far as applicable and unless they are inconsistent with the provisions of this treaty, or are modified by the terms of reference agreed upon in any particular case, shall govern the organization and procedure of the commission.

ARTICLE III.

The joint high commission of inquiry, instituted in each case as provided for in Article II, is authorized to examine into and report upon the particular questions or matters referred to it, for the purpose of facilitating the solution of disputes by elucidating the facts, and to define

the issues presented by such questions, and also to include in its report such recommendations and conclusions as may be appropriate.

The reports of the commission shall not be regarded as decisions of the questions or matters so submitted either on the facts or on the law and shall in no way have the character of an arbitral award.

It is further agreed, however, that in cases in which the parties disagree as to whether or not a difference is subject to arbitration under Article I of this treaty, that question shall be submitted to the joint high commission of inquiry; and if all or all but one of the members of the commission agree and report that such difference is within the scope of Article I, it shall be referred to arbitration in accordance with the provisions of this treaty.

ARTICLE IV.

The commission shall have power to administer oaths to witnesses and take evidence on oath whenever deemed necessary in any proceeding, or inquiry, or matter within its jurisdiction under this treaty; and the high contracting parties agree to adopt such legislation as may be appropriate and necessary to give the commission the powers above mentioned, and to provide for the issue of subpoenas and for compelling the attendance of witnesses in the proceedings before the commission.

On the inquiry both sides must be heard, and each party is entitled to appoint an agent, whose duty it shall be to represent his government before the commission and to present to the commission, either personally or through counsel retained for that purpose, such evidence and arguments as he may deem necessary and appropriate for the information of the commission.

ARTICLE V.

The commission shall meet whenever called upon to make an examination and report under the terms of this treaty, and the commission may fix such times and places for its meetings as may be necessary, subject at all times to special call or direction of the two governments. Each commissioner, upon the first joint meeting of the commission after his appointment, shall, before proceeding with the work of the commission, make and subscribe a solemn declaration in writing that he will faithfully and impartially perform the duties imposed upon him under this treaty, and such declaration shall be entered on the records of the proceedings of the commission.

The United States and British sections of the commission may each appoint a secretary, and these shall act as joint secretaries of the com-

mission at its joint sessions, and the commission may employ experts and clerical assistants from time to time as it may deem advisable. The salaries and personal expenses of the commission and of the agents and counsel and of the secretaries shall be paid by their respective governments and all reasonable and necessary joint expenses of the commission incurred by it shall be paid in equal moieties by the high contracting parties.

ARTICLE VI.

This treaty shall supersede the arbitration treaty concluded between the high contracting parties on April 4, 1908, but all agreements, awards, and proceedings under that treaty shall continue in force and effect and this treaty shall not affect in any way the provisions of the treaty of January 11, 1909, relating to questions arising between the United States and the Dominion of Canada.

ARTICLE VII.

The present treaty shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by His Britannic Majesty. The ratifications shall be exchanged at Washington as soon as possible and the treaty shall take effect on the date of the exchange of its ratifications. It shall thereafter remain in force continuously unless and until terminated by twenty-four months' written notice given by either high contracting party to the other.

In faith whereof the respective plenipotentiaries have signed this treaty in duplicate and have hereunto affixed their seals.

Done at Washington the third day of August, in the year of our Lord one thousand nine hundred and eleven.

[SEAL.]

PHILANDER C. KNOX.

[SEAL.]

JAMES BRYCE.

SPECIAL AGREEMENT FOR THE SUBMISSION TO ARBITRATION OF PECUNIARY CLAIMS OUTSTANDING BETWEEN GREAT BRITAIN AND THE UNITED STATES.¹

Signed at Washington, August 18, 1910.

Whereas Great Britain and the United States are signatories of the convention of the 18th October, 1907, for the pacific settlement of international disputes, and are desirous that certain pecuniary claims out-

¹ H. R. Doc. No. 97, 62d Cong. 1st Sess.

standing between them should be referred to arbitration, as recommended by Article 38 of that convention :

Now, therefore, it is agreed that such claims as are contained in the schedules drawn up as hereinafter provided shall be referred to arbitration under Chapter IV of the said convention, and subject to the following provisions :

ARTICLE 1.

Either party may, at any time within four months from the date of the confirmation of this agreement, present to the other party any claims which it desires to submit to arbitration. The claims so presented shall, if agreed upon by both parties, unless reserved as hereinafter provided, be submitted to arbitration in accordance with the provisions of this agreement. They shall be grouped in one or more schedules which, on the part of the United States, shall be agreed on by and with the advice and consent of the Senate, His Majesty's Government reserving the right before agreeing to the inclusion of any claim affecting the interests of a self-governing dominion of the British Empire to obtain the concurrence thereto of the government of that dominion.

Either party shall have the right to reserve for further examination any claims so presented for inclusion in the schedules ; and any claims so reserved shall not be prejudiced or barred by reason of anything contained in this agreement.

ARTICLE 2.

All claims outstanding between the two governments at the date of the signature of this agreement and originating in circumstances or transactions anterior to that date, whether submitted to arbitration or not, shall thereafter be considered as finally barred unless reserved by either part for further examination as provided in Article 1.

ARTICLE 3.

The arbitral tribunal shall be constituted in accordance with Article 87 (Chapter IV) and with Article 59 (Chapter III) of the said convention, which are as follows :

"ARTICLE 87. Each of the parties in dispute appoints an arbitrator. The two arbitrators thus selected choose an umpire. If they do not agree on this point, each of them proposes two candidates taken from the general list of the members of the Permanent Court, exclusive of the members appointed by either of the parties and not being nationals of either

of them; which of the candidates thus proposed shall be the umpire is determined by lot.

"The umpire presides over the tribunal, which gives its decisions by a majority of votes."

"ARTICLE 59. Should one of the arbitrators either die, retire, or be unable for any reason whatever to discharge his functions, the same procedure is followed for filling the vacancy as was followed for appointing him."

ARTICLE 4.

The proceedings shall be regulated by so much of Chapter IV of the convention and of Chapter III, excepting Articles 53 and 54, as the tribunal may consider to be applicable and to be consistent with the provisions of this agreement.

ARTICLE 5.

The tribunal is entitled, as provided in Article 74 (Chapter III) of the convention, to issue rules of procedure for the conduct of business, to decide the forms, order, and time in which each party must conclude its arguments, and to arrange all formalities required for dealing with the evidence.

The agents and counsel of the parties are authorized, as provided in Article 70 (Chapter III), to present orally and in writing to the tribunal all the arguments they may consider expedient in support or in defense of each claim.

The tribunal shall keep record of the claims submitted, and the proceedings thereon, with the dates of such proceedings. Each government may appoint a secretary. These secretaries shall act together as joint secretaries of the tribunal and shall be subject to its direction. The tribunal may appoint and employ any other necessary officer or officers to assist it in the performance of its duties.

The tribunal shall decide all claims submitted upon such evidence or information as may be furnished by either government.

The tribunal is authorized to administer oaths to witnesses and to take evidence on oath.

The proceedings shall be in English.

ARTICLE 6.

The tribunal shall meet at Washington at a date to be hereafter fixed by the two governments, and may fix the time and place of subsequent

meetings as may be convenient, subject always to special direction of the two governments.

ARTICLE 7.

Each member of the tribunal, upon assuming the function of his office, shall make and subscribe a solemn declaration in writing that he will carefully examine and impartially decide, in accordance with treaty rights and with the principles of international law and of equity, all claims presented for decision, and such declaration shall be entered upon the record of the proceedings of the tribunal.

ARTICLE 8.

All sums of money which may be awarded by the tribunal on account of any claim shall be paid by the one government to the other, as the case may be, within eighteen months after the date of the final award, without interest and without deduction, save as specified in the next article.

ARTICLE 9.

Each government shall bear its own expenses. The expenses of the tribunal shall be defrayed by a ratable deduction on the amount of the sums awarded by it, at a rate of 5 per cent. on such sums, or at such lower rate as may be agreed upon between the two governments; the deficiency, if any, shall be defrayed in equal moieties by the two governments.

ARTICLE 10.

The present agreement, and also any schedules agreed thereunder, shall be binding only when confirmed by the two governments by an exchange of notes.

In witness whereof this agreement has been signed and sealed by His Britannic Majesty's Ambassador at Washington, The Right Honorable James Bryce, O. M., on behalf of Great Britain, and by the Secretary of State of the United States, Philander C. Knox, on behalf of the United States.

Done in duplicate at the City of Washington, this eighteenth day of August, one thousand nine hundred and ten.

[SEAL.] PHILANDER C. KNOX.

[SEAL.] JAMES BRYCE.

SCHEDULE OF CLAIMS.

FIRST SCHEDULE OF CLAIMS TO BE SUBMITTED TO ARBITRATION IN ACCORDANCE WITH THE PROVISIONS OF THE SPECIAL AGREEMENT FOR THE SUBMISSION TO ARBITRATION OF PECUNIARY CLAIMS OUTSTANDING BETWEEN THE UNITED STATES AND GREAT BRITAIN, SIGNED ON THE 18TH DAY OF AUGUST, 1910, AND THE TERMS OF SUCH SUBMISSION.

CLASS I. — *Claims based on alleged denial in whole or in part of real property rights.*

AMERICAN.

Webster, Studer, R. E. Brown, Cayuga Indians, Rio Grande.
Samuel Clark.

BRITISH.

FIJIAN LAND CLAIMS.

Burt, Henry, Brower, Williams.

CLASS II. — *Claims based on the acts of the authorities of either government in regard to the vessels of the nationals of the other government, or for the alleged wrongful collection or receipt of customs duties or other charges by the authorities of either government.*

AMERICAN.

FISHING CLAIMS.

GROUP 1.

Against Newfoundland:
Cunningham & Thompson (18 vessels): Masconomo, Arbutus, Anglo-Saxon, Quickstep, Nourmahal, Puritan, Talisman, Norma, Norumbega, Aloha, Ingomar, Jennie B. Hodgdon, Arkona, Arethusa, Independence II, S. P. Willard, Corona, Saladin.
Davis Bros. (10 vessels): Oregon, Margaret, Theo. Roosevelt, L. M. Stanwood, Georgie Campbell, Blanche, Veda McKown, E. A. Perkins, Kearsarge, Lena & Maud.

BRITISH.

SHIPPING CLAIMS.

Coquitlam, Favourite, Wanderer, Kate, Lord Nelson, Canadienne, Eastry, Lindisfarne, Newchwang, Sidra, Maroa, Thomas F. Bayard, Jessie, Peschawa.

CANADIAN CLAIMS FOR REFUND OF HAY DUTIES.

Peter Anderson, Charles Arpin, Nathaniel Bachelder; Magloire G. Blain, Toussaint Bourassa, continuing partner of Bourassa and Forrester; Pierre Bourgeois; William Burland & Company, Charles S. Rowe, surviving part-

- Wm. H. Parsons (12 vessels) : Corsair, Grace L. Fears, Argo, Lizzie Griffin, Independence, Independence II, Dreadnought, Robin Hood, Helen G. Wells, Colonial, Alice M. Parsons, Mildred V. Lee.
- Gorton-Pew Co. (37 vessels) : A. M. Parker, Priscilla Smith, Senator Gardner, Corsair, Vigilant, Harry A. Nickerson, Gossip, Flirt, Ella G. King, Helen G. Wells, Ramona, Massachusetts, Ellen C. Burke, J. J. Flaherty, Geo. R. Alston, Maxine Elliott, Vera, Orinoco, Miranda, Madonna, Atlanta, Gov. Russell, Mystery, Jas. A. Garfield, L. I. Lowell, Dora A. Lawson, Tattler, Alice R. Lawson, Olga, J. R. Bradley, Fannie Smith, Rob Roy, Smuggler, Essex, Athlete, Valkyria, Sceptre.
- W. H. Jordan (6 vessels) : Lewis H. Giles, O. W. Holmes, The Gatherer, Hattie E. Worcester, Goldenrod, Joseph Rowe.
- Orlando Merchant (16 vessels) : Avalon, Constellation, O. W. Holmes, Golden Rod, Grayling, Joseph Rowe, Harvard, Mary E. Harty, Harriet W. Babson, Richard Wainwright, Henry M. Stanley, Lewis H. Giles, Lottie G. Merchant, Oriole, Clintonia, Esperanto.
- Jerome McDonald (3 vessels) : Preceptor, Gladiator, Monitor.
- John Pew & Sons (5 vessels) : A. E. Whyland, Essex, Columbia, Orinoco, Scepter.
- ner; Frederick Catudal; L. N. Charlebois, heir and assignee of Denis N. Charlebois; Joseph Couture; Wilfrid Dorais, heir of Louis T. Dorais; John and Francis Ewing, John Ewing, surviving partner; Joseph Jean Baptiste Gosselin; heirs of Joseph A. Lamoureux, deceased.

D. B. Smith & Co. (12 vessels):
Smuggler, Lucinda I. Lowell,
Helen F. Whittier, Dora A. Law-
son, Carrie W. Babson, Golden
Hope, Fernwood, Sen. Gardner,
Maxine Elliott, J. J. Flaherty,
Tattler, Stranger.

Sylvanus Smith & Co. (7 vessels):
Lucile, Bohemia, Claudia, Arca-
dia, Parthia, Arabia, Sylvania.

John Chisolm (5 vessels): Admiral
Dewey, Harry G. French, Mon-
arch, Judique, Conqueror.

Carl C. Young (3 vessels): Daunt-
less, A. E. Whyland, William E.
Morrissey.

Hugh Parkhurst & Co. (6 vessels):
Rival, Arthur D. Story, Patri-
cian, Geo. Parker, Sen. Sauls-
bury, Diana.

A. D. Mallock (3 vessels): In-
diana, Alert, Edna Wallace Hop-
per.

Thomas M. Nicholson (13 ves-
sels): Ada S. Babson, Elizabeth
N., Hiram Lowell, M. B. Stet-
son, A. V. S. Woodruff, T. M.
Nickolson, Landseer, Edgar S.
Foster, A. M. Nickolson, Wm.
Matheson, Robin Hood, Annie
G. Quinner, N. E. Symonds.

M. J. Palson (3 vessels): Barge
Tillid, Schooner J. K. Manning,
Tug Clarita.

M. J. Dillon (1 vessel): Edith
Emery.

Russell D. Terry (1 vessel): Cen-
tennial.

Lemuel E. Spinney (3 vessels):
American, Arbitrator, Dictator.

Wm. H. Thomas (2 vessels): Elmer E. Gray, Thos. L. Gorton.

Frank H. Hall (3 vessels): Ralph H. Hall, Sarah E. Lee, Faustina.

M. Walen & Son (7 vessels): Kentucky, Effie W. Prior, Orpheus, Hattie A. Heckman, Ella M. Goodsin, Bessie N. Devine, Arthur James.

Atlantic Maritime Co. (7 vessels): James W. Parker, Raynah, Susan & Mary, Elsie, Fannie E. Prescott, E. E. Gray, Mildred Robinson.

Waldo I. Wonson (5 vessels): American, Mystery, Procyon, Effie M. Morrissey, Marguerite.

Edward Trevoy (1 vessel): Edward Trevoy.

Henry Atwood (1 vessel): Fannie B. Atwood.

Fred Thompson (1 vessel): Elsie M. Smith.

GROUP 2.

Against Newfoundland:

Bessie M. Wells, Elector, Sarah B. Putnam, A. E. Whyland, H. B. Parker, Thomas F. Bayard, Arethusia, Harry A. Nickerson, Arkona, Edna Wallace Hopper, Athlete.

FISHING CLAIMS.

Against Canada:

Frederick Gerring, North, D. J. Adams, R. T. Roy, Tattler, Hurricane, Argonaut, Jonas H. French.

CLASS III. — *Claims based on damages to the property of either government or its nationals, or on personal wrongs of such nationals, alleged to be due to the operations of the military or naval forces of the other government or to the acts or negligence of the civil authorities of the other government.*

AMERICAN.

Home Missionary Society, Daniel Johnson, Union Bridge Company, Medeiros.

BRITISH.

FOUR CABLE COMPANIES CLAIMS.

Cuban Submarine Telegraph Co., Eastern Extension Cable Co., Canadian Electric Light Co., Great Northwestern Telegraph Co.

PHILIPPINE WAR CLAIMS.

Ackart, Balfour, Broxup, Cundal, Dodson, Fleming, Forbes, Fox, Fyfe, Grace, Grindrod, Hawkins, F., Hawkins, J., Hendry, Hill, Hogg, Holiday, Hong Kong Bank, Iloilo Club, Eastern Extension Telegraph Co., Higgins, W., Higgins, N. L., Hoskyn & Co., Kaufman, Ker Bolton & Co., Lauanders, McLeod, McMeeking, Moore, Philippine Mineral Syndicate, Pohang, Pohoomul, Smith, Stevenson, Strachan, Thomson, Underwood, Warner, Zafiro, C. B. Chiene, N. L. Chiene, Parsons, Walker.

HAWAIIAN CLAIMS.

Ashford, Bailey, Harrison, Kenyon, Levy McDowall, Rawlins, Redward, Reynolds, Thomas. Hardman, Wrathall, Cadenhead.

CLASS IV. — *Claims based on contracts between the authorities of either government and the nationals of the other government.*

BRITISH.

King Robert, Yukon Lumber,
Hemming.

TERMS OF SUBMISSION.

I. In case of any claim being put forward by one party which is alleged by the other party to be barred by treaty, the arbitral tribunal shall first deal with and decide the question whether the claim is so barred, and in the event of a decision that the claim is so barred, the claim shall be disallowed.

II. The arbitral tribunal shall take into account as one of the equities of a claim to such extent as it shall consider just in allowing or disallowing a claim any admission of liability by the government against whom a claim is put forward.

III. The arbitral tribunal shall take into account as one of the equities of a claim to such extent as it shall consider just in allowing or disallowing a claim, in whole or in part, any failure on the part of the claimants to obtain satisfaction through legal remedies which are open to him or placed at his disposal, but no claim shall be disallowed or rejected by application of the general principle of international law that the legal remedies must be exhausted as a condition precedent to the validity of the claim.

IV. The arbitral tribunal, if it considers equitable, may include in its award in respect of any claim interest at a rate not exceeding 4 per cent. per annum for the whole or any part of the period between the date when the claim was first brought to the notice of the other party and that of the confirmation of the schedule in which it is included.

The foregoing schedule and terms of submission are agreed upon in pursuance of and subject to the provisions of the special agreement for the submission to arbitration of pecuniary claims outstanding between the United States and Great Britain, signed on the 18th day of August, 1910, and require confirmation by the two governments in accordance with the provisions of that agreement.

Signed in duplicate at the city of Washington, this 6th day of June, 1911, by the Secretary of State of the United States, Philander C. Knox, on behalf of the United States, and by his Britannic Majesty's ambassador at Washington, the Right Hon. James Bryce, O. M., on behalf of Great Britain.

PHILANDER C. KNOX.
JAMES BRYCE.

CONVENTION BETWEEN JAPAN, GREAT BRITAIN, RUSSIA AND THE UNITED STATES FOR THE PROTECTION AND PRESERVATION OF FUR SEALS AND SEA OTTERS IN THE NORTH PACIFIC OCEAN.¹

Signed at Washington, July 7, 1911.

(Not ratified at date of publication of the JOURNAL.)

The United States of America, His Majesty the King of the United Kingdom of Great Britain and Ireland, and of the British Dominions beyond the Seas, Emperor of India, His Majesty the Emperor of Japan, and His Majesty the Emperor of all the Russias, being desirous of adopting effective means for the preservation and protection of the fur seals which frequent the waters of the North Pacific Ocean, have resolved to conclude a convention for the purpose, and to that end have named as their Plenipotentiaries:

The President of the United States of America, the Honorable Charles Nagel, Secretary of Commerce and Labor of the United States, and the Honorable Chandler P. Anderson, Counselor of the Department of State of the United States;

His Britannic Majesty, the Right Honorable James Bryce, of the Order of Merit, his Ambassador Extraordinary and Plenipotentiary at Washington, and Joseph Pope, Esquire, Commander of the Royal Victorian Order and Companion of the Order of St. Michael and St. George, Under Secretary of State of Canada for External Affairs;

His Majesty the Emperor of Japan, Baron Yasuya Uchida, Jusammi, Grand Cordon of the Imperial Order of the Rising Sun, his Ambassador Extraordinary and Plenipotentiary at Washington; and the Honorable Hitoshi Dauké, Shoshii, Third Class of the Imperial Order of the Rising Sun, Director of the Bureau of Fisheries, Department of Agriculture and Commerce;

¹ Senate Doc. No. 75, 62d Cong. 1st Sess.

His Majesty the Emperor of all the Russias, the Honorable Pierre Botkine, Chamberlain of His Majesty's Court, Envoy Extraordinary and Minister Plenipotentiary to Morocco, and Baron Boris Nolde, of the Foreign Office;

Who, after having communicated to one another their respective full powers, which were found to be in due and proper form, have agreed upon the following articles:

ARTICLE I.

The high contracting parties mutually and reciprocally agree that their citizens and subjects respectively, and all persons subject to their laws and treaties, and their vessels, shall be prohibited, while this convention remains in force, from engaging in pelagic sealing in the waters of the North Pacific Ocean, north of the thirtieth parallel of north latitude and including the Seas of Bering, Kamchatka, Okhotsk and Japan, and that every such person and vessel offending against such prohibition may be seized, except within the territorial jurisdiction of one of the other Powers, and detained by the naval or other duly commissioned officers of any of the parties to this convention, to be delivered as soon as practicable to an authorized official of their own nation at the nearest point to the place of seizure, or elsewhere as may be mutually agreed upon; and that the authorities of the nation to which such person or vessel belongs alone shall have jurisdiction to try the offense and impose the penalties for the same; and that the witnesses and proofs necessary to establish the offense, so far as they are under the control of any of the parties to this convention, shall also be furnished with all reasonable promptitude to the proper authorities having jurisdiction to try the offense.

ARTICLE II.

Each of the high contracting parties further agrees that no person or vessel shall be permitted to use any of its ports or harbors or any part of its territory for any purposes whatsoever connected with the operations of pelagic sealing in the waters within the protected area mentioned in Article I.

ARTICLE III.

Each of the high contracting parties further agrees that no sealskins taken in the waters of the North Pacific Ocean within the protected area mentioned in Article I, and no sealskins identified as the species

known as *Callorhinus alascanus*, *Callorhinus ursinus*, and *Callorhinus kurilensis*, and belonging to the American, Russian or Japanese herds, except such as are taken under the authority of the respective Powers to which the breeding grounds of such herds belong and have been officially marked and certified as having been so taken, shall be permitted to be imported or brought into the territory of any of the parties to this convention.

ARTICLE IV.

It is further agreed that the provisions of this convention shall not apply to Indians, Ainos, Aleuts, or other aborigines dwelling on the coast of the waters mentioned in Article I, who carry on pelagic sealing in canoes not transported by or used in connection with other vessels, and propelled entirely by oars, paddles, or sails, and manned by not more than five persons each, in the way hitherto practiced and without the use of firearms; provided that such aborigines are not in the employment of other persons, or under contract to deliver the skins to any person.

ARTICLE V.

Each of the high contracting parties agrees that it will not permit its citizens or subjects or their vessels to kill, capture or pursue beyond the distance of three miles from the shore line of its territories sea otters in any part of the waters mentioned in Article I of this convention.

ARTICLE VI.

Each of the high contracting parties agrees to enact and enforce such legislation as may be necessary to make effective the foregoing provisions with appropriate penalties for violations thereof.

ARTICLE VII.

It is agreed on the part of the United States, Japan, and Russia that each respectively will maintain a guard or patrol in the waters frequented by the seal herd in the protection of which it is especially interested, so far as may be necessary for the enforcement of the foregoing provisions.

ARTICLE VIII.

All of the high contracting parties agree to cooperate with each other in taking such measures as may be appropriate and available for the purpose of preventing pelagic sealing in the prohibited area mentioned in Article I.

ARTICLE IX.

The term of pelagic sealing is hereby defined for the purposes of this convention as meaning the killing, capturing or pursuing in any manner whatsoever of fur seals at sea.

ARTICLE X.

The United States agrees that of the total number of sealskins taken annually under the authority of the United States upon the Pribilof Islands or any other islands or shores of the waters mentioned in Article I subject to the jurisdiction of the United States to which any seal herds hereafter resort, there shall be delivered at the Pribilof Islands at the end of each season fifteen per cent. (15%) gross in number and value thereof to an authorized agent of the Canadian Government and fifteen per cent. (15%) gross in number and value thereof to an authorized agent of the Japanese Government; provided, however, that nothing herein contained shall restrict the right of the United States at any time and from time to time to suspend altogether the taking of sealskins on such islands or shores subject to its jurisdiction, and to impose such restrictions and regulations upon the total number of skins to be taken in any season and the manner and times and places of taking them as may seem necessary to protect and preserve the seal herd or to increase its number.

ARTICLE XI.

The United States further agrees to pay the sum of two hundred thousand dollars (\$200,000) to Great Britain and the sum of two hundred thousand dollars (\$200,000) to Japan when this convention goes into effect, as an advance payment in each case in lieu of such number of fur-seal skins to which Great Britain and Japan respectively would be entitled under the provisions of this convention as would be equivalent in each case to two hundred thousand dollars (\$200,000) reckoned at their market value at London at the date of their delivery before dressing and curing and less cost of transportation from the Pribilof Islands, such market value in case of dispute to be determined by an umpire to be agreed upon by the United States and Great Britain, or by the United States and Japan, as the case may be, which skins shall be retained by the United States in satisfaction of such payments.

The United States further agrees that the British and Japanese share respectively of the sealskins taken from the American herd under the

terms of this convention shall be not less than one thousand (1,000) each in any year even if such number is more than fifteen per cent. (15%) of the number to which the authorized killing is restricted in such year, unless the killing of seals in such year or years shall have been absolutely prohibited by the United States for all purposes except to supply food, clothing, and boat skins for the natives on the islands, in which case the United States agrees to pay to Great Britain and to Japan each the sum of ten thousand dollars (\$10,000) annually in lieu of any share of skins during the years when no killing is allowed; and Great Britain agrees, and Japan agrees, that after deducting the skins of their respective shares, which are to be retained by the United States as above provided to reimburse itself for the advance payment aforesaid, the United States shall be entitled to reimburse itself for any annual payments made as herein required, by retaining an additional number of sealskins from the British and Japanese shares respectively over and above the specified minimum allowance of one thousand (1,000) skins in any subsequent year or years when killing is again resumed, until the whole number of skins retained shall equal, reckoned at their market value determined as above provided for, the entire amount so paid, with interest at the rate of four per cent. (4%) per annum.

If, however, the total number of seals frequenting the United States islands in any year falls below one hundred thousand (100,000), enumerated by official count, then all killing, excepting the inconsiderable supply necessary for the support of the natives as above noted, may be suspended without allowance of skins or payment of money equivalent until the number of such seals again exceeds one hundred thousand (100,000), enumerated in like manner.

ARTICLE XII.

It is agreed on the part of Russia that of the total number of sealskins taken annually upon the Commander Islands, or any other island or shores of the waters defined in Article I subject to the jurisdiction of Russia to which any seal herds hereafter resort, there shall be delivered at the Commander Islands at the end of each season fifteen per cent. (15%) gross in number and value thereof to an authorized agent of the Canadian Government, and fifteen per cent. (15%) gross in number and value thereof to an authorized agent of the Japanese Government; provided, however, that nothing herein contained shall restrict the right of Russia at any time and from time to time during the first five years

of the term of this convention to suspend altogether the taking of seal-skins on such islands or shores subject to its jurisdiction, and to impose during the term of this convention such restrictions and regulations upon the total number of skins to be taken in any season, and the manner and times and places of taking them as may seem necessary to preserve and protect the Russian seal herd, or to increase its number; but it is agreed, nevertheless, on the part of Russia that during the last ten years of the term of this convention not less than five per cent. (5%) of the total number of seals on the Russian rookeries and hauling grounds will be killed annually, provided that said five per cent. (5%) does not exceed eighty-five per cent. (85%) of the three-year-old male seals hauling in such year.

If, however, the total number of seals frequenting the Russian islands in any year falls below eighteen thousand (18,000) enumerated by official count, then the allowance of skins mentioned above and all killing of seals except such as may be necessary for the support of the natives on the islands may be suspended until the number of such seals again exceeds eighteen thousand (18,000) enumerated in like manner.

ARTICLE XIII.

It is agreed on the part of Japan that of the total number of sealskins taken annually upon Robben Island, or any other islands or shores of the waters defined in Article I subject to the jurisdiction of Japan to which any seal herds hereafter resort, there shall be delivered at Robben Island at the end of each season ten per cent. (10%) gross in number and value thereof to an authorized agent of the United States Government, ten per cent. (10%) gross in number and value thereof to an authorized agent of the Canadian Government, and ten per cent. (10%) gross in number and value thereof to an authorized agent of the Russian Government; provided, however, that nothing herein contained shall restrict the right of Japan at any time and from time to time during the first five years of the term of this convention to suspend altogether the taking of sealskins on such islands or shores subject to its jurisdiction, and to impose during the term of this convention such restrictions and regulations upon the total number of skins to be taken in any season, and the manner and times and places of taking them as may seem necessary to preserve and protect the Japanese herd, or to increase its number; but it is agreed, nevertheless, on the part of Japan that during the last ten years of the term of this convention not less than five per cent.

(5%) of the total number of seals on the Japanese rookeries and hauling grounds will be killed annually, provided that said five per cent. (5%) does not exceed eighty-five per cent. (85%) of the three-year-old male seals hauling in such year.

If, however, the total number of seals frequenting the Japanese islands in any year falls below six thousand five hundred (6,500) enumerated by official count, then the allowance of skins mentioned above and all killing of seals except such as may be necessary for the support of the natives on the islands may be suspended until the number of such seals again exceeds six thousand five hundred (6,500) enumerated in like manner.

ARTICLE XIV.

It is agreed on the part of Great Britain that in case any seal herd hereafter resorts to any islands or shores of the waters defined in Article I subject to the jurisdiction of Great Britain, there shall be delivered at the end of each season during the term of this convention ten per cent. (10%) gross in number and value of the total number of sealskins annually taken from such herd to an authorized agent of the United States Government, ten per cent (10%) gross in number and value of the total number of sealskins annually taken from such herd to an authorized agent of the Japanese Government, and ten per cent. (10%) gross in number and value of the total number of sealskins annually taken from such herd to an authorized agent of the Russian Government.

ARTICLE XV.

It is further agreed between the United States and Great Britain that the provisions of this convention shall supersede, in so far as they are inconsistent therewith or in duplication thereof, the provisions of the treaty relating to the fur seals, entered into between the United States and Great Britain on the 7th day of February, 1911.

ARTICLE XVI.

This convention shall go into effect upon the 15th day of December, 1911, and shall continue in force for a period of fifteen (15) years from that date, and thereafter until terminated by twelve (12) months' written notice given by one or more of the parties to all of the others, which notice may be given at the expiration of fourteen years or at any time afterwards, and it is agreed that at any time prior to the termina-

tion of this convention, upon the request of any one of the high contracting parties, a conference shall be held forthwith between representatives of all the parties hereto, to consider and if possible agree upon a further extension of this convention with such additions and modifications, if any, as may be found desirable.

ARTICLE XVII.

This convention shall be ratified by the President of the United States, by and with the advice and consent of the Senate thereof, by His Britannic Majesty, by His Majesty the Emperor of Japan, and by His Majesty the Emperor of all the Russias; and ratifications shall be exchanged at Washington as soon as practicable.

In faith whereof, the respective plenipotentiaries have signed this convention in quadruplicate and have hereunto affixed their seals.

Done at Washington the 7th day of July, in the year one thousand nine hundred and eleven.

CHARLES NAGEL	[SEAL]
CHANDLER P. ANDERSON	[SEAL]
JAMES BRYCE	[SEAL]
JOSEPH POPE	[SEAL]
Y. UCHIDA	[SEAL]
H. DAUKE	[SEAL]
P. BOTKINE	[SEAL]
NOLDE	[SEAL]

CONVENTION BETWEEN THE UNITED STATES AND HONDURAS CONCERNING A HONDURAN LOAN.¹

Signed at Washington, January 10, 1911.

[Unratified at the date of publication in the JOURNAL.]

The Government of Honduras having indicated the desirability of co-operation on the part of the United States for the refunding of its debt and the placing of its finances upon that sound and stable basis recognized as indispensable to assure strength and security of governmental administration, the meeting of foreign obligations, and the tranquillity,

¹ Confidential Executive C, 61st Cong., 3d Session.

prosperity, and progress of the country; and the Government of the United States, animated by a desire to promote the peace and prosperous development of all the Central American countries, and appreciating the wish of Honduras to contribute to such development by establishing on a firm footing its own material strength; and it being recognized as necessary, in view of the present conditions of Honduran finances and resources, that, to afford efficient and legitimate security and to obtain the special benefits sought, the governments concerned should assume a special relation thereto; and the two governments being convinced that some contract should be negotiated and concluded between the Government of Honduras and some competent and reliable American banking group, said contract to afford a beneficial, just, and equitable accomplishment of the purposes in question, have, with these objects in view, named as their plenipotentiaries:

The President of the United States of America, Philander C. Knox, Secretary of State of the United States; and

The President of Honduras, Juan E. Paredes, envoy extraordinary and minister plenipotentiary of the Republic of Honduras on special mission;

Who, having communicated to each other their respective full powers, found in good and due form, have agreed upon the following:

ARTICLE I.

The Government of Honduras undertakes to make and negotiate a contract providing for the refunding of its present internal and external debt and the adjustment and settlement of unliquidated claims, for the placing of its finances upon a sound and stable basis, and for the future development of the natural and economic resources of that country. The Governments of the United States and Honduras will take due note of all the provisions of the said contract when made, and will consult, in case of any difficulties, with a view to the faithful execution of the provisions of said contract, in order that all the benefits to Honduras and the security of the loan may at the same time be assured.

ARTICLE II.

The loan which shall be made by the Government of Honduras pursuant to the above undertaking shall be secured upon the customs of Honduras, and the Government of Honduras agrees not to alter the import or export customs duties, or other charges affecting the entry, exit,

or transit of goods, during the existence of the loan under the said contract, without consultation and agreement with the Government of the United States.

ARTICLE III.

A full and detailed statement of the operations under this contract shall be submitted by the fiscal agent of the loan to the Department of State of the United States and to the minister of finance of the Government of Honduras at the expiration of each twelve months, and at such other times as may be requested by either of the two governments.

ARTICLE IV.

The Government of Honduras, so long as the loan exists, will appoint from a list of names to be presented to it by the fiscal agent of the loan and approved by the President of the United States of America, a collector general of customs, who shall administer the customs in accordance with the contract securing said loan and will give this official full protection in the exercise of his functions. The Government of the United States will in turn afford such protection as it may find requisite.

ARTICLE V.

This convention shall be ratified and the ratifications hereof shall be exchanged at Tegucigalpa as soon as possible.

In faith whereof the respective plenipotentiaries have signed the present convention in the English and Spanish languages and have hereunto affixed their seals.

Done in duplicate, at Washington, this tenth day of January, one thousand nine hundred and eleven.

PHILANDER C. KNOX. [SEAL.]
JUAN E. PAREDES. [SEAL.]

AGREEMENT OF ALLIANCE BETWEEN THE UNITED KINGDOM AND JAPAN.¹

Signed at London, July 13, 1911.

PREAMBLE.

The Government of Great Britain and the Government of Japan, having in view the important changes which have taken place in the situa-

¹ Great Britain, Treaty Series, 1911, No. 18.

tion since the conclusion of the Anglo-Japanese agreement of the 12th August, 1905, and believing that a revision of that agreement responding to such changes would contribute to general stability and repose, have agreed upon the following stipulations to replace the agreement above mentioned, such stipulations having the same object as the said agreement, namely;

(a) The consolidation and maintenance of the general peace in the regions of Eastern Asia and of India;

(b) The preservation of the common interests of all Powers in China by insuring the independence and integrity of the Chinese Empire and the principle of equal opportunities for the commerce and industry of all nations in China;

(c) The maintenance of the territorial rights of the high contracting parties in the regions of Eastern Asia and of India, and the defense of their special interests in the said regions:—

ARTICLE I.

It is agreed that whenever, in the opinion of either Great Britain or Japan, any of the rights and interests referred to in the preamble of this agreement are in jeopardy, the two governments will communicate with one another fully and frankly, and will consider in common the measures which should be taken to safeguard those menaced rights or interests.

ARTICLE II.

If by reason of unprovoked attack or aggressive action, wherever arising, on the part of any Power or Powers, either high contracting party should be involved in war in defence of its territorial rights or special interests mentioned in the preamble of this agreement, the other high contracting party will at once come to the assistance of its ally, and will conduct the war in common, and make peace in mutual agreement with it.

ARTICLE III.

The high contracting parties agree that neither of them will, without consulting the other, enter into separate arrangements with another Power to the prejudice of the objects described in the preamble of this agreement.

ARTICLE IV.

Should either high contracting party conclude a treaty of general arbitration with a third Power, it is agreed that nothing in this agreement shall entail upon such contracting party an obligation to go to war with the Power with whom such treaty of arbitration is in force.

ARTICLE V.

The conditions under which armed assistance shall be afforded by either Power to the other in the circumstances mentioned in the present agreement, and the means by which such assistance is to be made available, will be arranged by the naval and military authorities of the high contracting parties, who will from time to time consult one another fully and freely upon all questions of mutual interest.

ARTICLE VI.

The present agreement shall come into effect immediately after the date of its signature, and remain in force for ten years from that date.

In case neither of the high contracting parties should have notified twelve months before the expiration of the said ten years the intention of terminating it, it shall remain binding until the expiration of one year from the day on which either of the high contracting parties shall have denounced it. But if, when the date fixed for its expiration arrives, either ally is actually engaged in war, the alliance shall, *ipso facto*, continue until peace is concluded.

In faith whereof the undersigned, duly authorised by their respective governments, have signed this agreement, and have affixed thereto their seals.

Done in duplicate at London, the 13th day of July, 1911.

E. GREY,

*His Britannic Majesty's Principal Secretary of
State for Foreign Affairs.*

TAKAAKI KATO,

*Ambassador Extraordinary and Plenipotentiary
of His Majesty the Emperor of Japan at the
Court of St. James.*

CONVENTION BETWEEN THE UNITED KINGDOM AND LIBERIA RESPECTING
THE BOUNDARY BETWEEN SIERRA LEONE AND LIBERIA.¹

Signed at Monrovia, January 21, 1911; ratifications exchanged at Monrovia, May 13, 1911.

Whereas His Majesty the King of the United Kingdom of Great Britain and Ireland and the President of the Republic of Liberia are desirous of readjusting the boundary line between the Colony of Sierra Leone and the Republic of Liberia, provisionally laid down by the Anglo-Liberian Boundary Commission of 1902-3, so that it shall correspond, as far as possible, with natural features and tribal divisions, they have, with the view of negotiating arrangements for this purpose, named as their respective representatives, that is to say:

His Majesty the King of the United Kingdom of Great Britain and Ireland, Major John Grey Baldwin, His Britannic Majesty's Consul-General at Monrovia;

And the President of the Republic of Liberia, the Honourable Frederick Eugene Richelieu Johnson, Secretary of State of the Republic.

The above-mentioned representatives have, on behalf and with the authority of their respective governments, agreed upon the following articles:—

ARTICLE I.

(a) The line marking the western boundary of the Republic shall start from the meeting point on the Moa River of the Tengea and Kunyo sections of the Kissi country, and shall be continued in a southerly direction to a point on the Maia River, so that it corresponds, between these two points, with the western boundary of the Tengea section and the eastern boundaries of the Kunyo and Tungi sections of that country.

(b) From this point the boundary shall follow the course of the Maia, Makwoi, and Mauwa Rivers to the point where the Mauwa River intersects the provisional line laid down by the Anglo-Liberian Boundary Commission of 1902-3.

(c) From this point the boundary shall follow the provisional line mentioned above until it reaches the point where that line meets the Morro River.

(d) From this point the boundary shall follow the Morro River to the junction of that river with the Mano River.

¹ Great Britain, Treaty Series, 1911, No. 16.

(e) From this point the boundary shall follow the provisional line to the sea-coast.

ARTICLE II.

The boundary-line along all rivers and streams, other than the Mano River, shall be the "thalweg," and such rivers and streams shall be open to the free navigation of both countries.

ARTICLE III.

In view of the opinion expressed by the Government of the Republic of Liberia that the area between the Morro and the Mano Rivers, which falls to the republic under the readjustment of the boundary described in Article I, is in an undeveloped condition, His Majesty's Government agrees to pay a sum of £4,000 to enable the Government of the Republic of Liberia to bring it to a state of development corresponding to that of the area which, as a result of the readjustment, will fall to the Colony of Sierra Leone.

ARTICLE IV.

The boundary shall be marked out at a date to be fixed by agreement between the two governments.

ARTICLE V.

It is agreed that, where it differs from the convention signed at Freetown on the 11th November, 1885, the present convention shall be regarded as authoritative.

ARTICLE VI.

It is agreed that this convention shall be deemed to be a permanent settlement of the boundary question heretofore existing between the two governments.

ARTICLE VII.

It is agreed that the respective governments will facilitate an arrangement between the Colony of Sierra Leone and the local authorities of the Republic for the settlement of all disputes that may arise between the tribes on either side of the frontier.

And the said Major John Grey Baldwin, on behalf of His Majesty the King of the United Kingdom of Great Britain and Ireland, and the said Honourable Frederick Eugene Richelieu Johnson, on behalf of the President of the Republic of Liberia, have assented to and accepted the

said articles, subject to the ratification of His Majesty the King of the United Kingdom of Great Britain and Ireland, and the President of the Republic of Liberia respectively.

Done at Monrovia, the 21st day of January, in the year of our Lord 1911.

J. G. BALDWIN,
His Britannic Majesty's Consul-General.
F. E. R. JOHNSON,
Secretary of State of the Republic of Liberia.

CONVENTION BETWEEN THE UNITED KINGDOM AND MEXICO RESPECTING
TELEGRAPHIC COMMUNICATION BETWEEN MEXICO AND BRITISH
HONDURAS.¹

Signed at Mexico, May 27, 1910; ratifications exchanged at Mexico, May 8, 1911.

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and the President of the United States of Mexico, desirous of facilitating the telegraphic communication between the Colony of British Honduras and the Republic of Mexico, have decided to conclude a convention to that effect, and have appointed as their plenipotentiaries:

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, Reginald Thomas Tower, Commander of the Royal Victorian Order, Envoy Extraordinary and Minister Plenipotentiary of His Britannic Majesty in Mexico., etc., etc.; and

The President of the United States of Mexico, Señor Don Enrique C. Creel, Minister for Foreign Affairs.

Who after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following articles:

ARTICLE I.

The General Federal Telegraph Department of Mexico and the Postal and Telegraph Department of British Honduras shall extend their re-

¹ Great Britain, Treaty Series, 1911, No. 14.

spective lines to the River Hondo which serves as divisory line between the two countries; and at a place and date previously agreed upon shall make connection by one of their wires.

ARTICLE II.

In due time an agreement shall be come to between the General Federal Telegraph Department of Mexico and the Postal and Telegraph Department of British Honduras, as to the technical conditions to govern the conducting wire and the corresponding supports of the other of the contracting parties, according to the stipulation of the preceding Article.

ARTICLE III.

Each of the high contracting parties shall bear all expenses entailed by the extension of its line up to the place and the time of effecting the connection of the two wires, as well as all expenses required for the supervision, maintenance, and upkeep of the aforesaid lines within their respective territories.

The execution of the work of connecting the Mexican wire with that of British Honduras across the River Hondo, shall be at the sole cost of the agents of the General Federal Telegraph Department of Mexico.

ARTICLE IV.

The sole object of the connection of the Federal Telegraph lines of Mexico, with those of British Honduras, is the reciprocal exchange of messages passing between the two countries, as also of messages from abroad transmitted over the Mexican Federal Telegraph lines to points situated in the territory of British Honduras, and of messages despatched from points situated in the territory of British Honduras and addressed to another country or countries for transmission over the Mexican Federal Telegraph lines, it being consequently stipulated that nothing in this convention shall require the General Federal Telegraph Department of Mexico to exchange with the government lines of British Honduras any telegrams intended for transmission to, or received from, places situated outside of British Honduras.

ARTICLE V.

The General Federal Telegraph Department of Mexico and the Postal and Telegraph Department of British Honduras shall, by common con-

sent, determine upon the two towns where each administration shall respectively install its terminal office for the purpose of the connection referred to herein.

ARTICLE VI.

The two departments shall also determine, by common consent, upon all matters relative to the apparatus to be employed in the service, and upon the order in which correspondence is to be transmitted: the cost of the necessary apparatus and the expense of installation, maintenance, upkeep and working of the said instruments within the respective territories being borne by each of the high contracting parties.

ARTICLE VII.

Although the connection of the telegraph lines of Mexico and those of British Honduras shall for the present be by means of one wire and at one point only in each country, it is understood that, if later on business requirements demand it and the telegraph administrations of the two countries so agree, other wires and points of connection of the lines in question may be added from time to time.

It is also understood that the connection of the lines of Mexico and British Honduras to which this convention refers, can only be effected between lines belonging to the governments of the two respective countries, which in the case of Mexico are styled the FEDERAL LINES, and in British Honduras the GOVERNMENT LINES, but in no case shall either of the said lines be connected with a private line established within the territory of the other high contracting party.

ARTICLE VIII.

The act of entering the connecting wires into the telegraph offices assigned for the purpose in conformity with the stipulations of Article V of the present convention, and of placing in the said offices the instruments necessary for the operation of such wires shall constitute the connection of the Federal Lines of Mexico with the Government Lines of British Honduras.

The service will be performed as follows: the Mexican Federal telegraph offices of connection shall receive all the traffic offered to them by the offices of their system for the Government Telegraph Offices of British Honduras, and retransmit the same immediately to their destination by the connecting wire, and the same offices shall also receive the

traffic offered to them by means of the same wire by the Government Telegraph offices of British Honduras for Mexico, and forward the same at once to its destination; so that there shall always be in all the Mexican Federal Telegraph offices of connection, an exact record of all the traffic passing over both lines.

ARTICLE IX.

For the purpose of official communications between the General Federal Telegraph Department of Mexico, and the Postal and Telegraph Department of British Honduras, the former may make use of the Spanish language and the latter of the English. For the service between the telegraph offices of both departments, the Spanish language shall be used, and for the transmission of messages the Mexican telegraph alphabet actually in use on the Mexican lines shall be employed, unless, by common consent, it is agreed to adopt some other alphabet.

ARTICLE X.

It is agreed that neither the Republic of Mexico nor their agents, shall transact business directly with the public within the territory of British Honduras, and that in all operations of the service the British administration shall be the only intermediary for communication with that public. British Honduras will observe the same rules with regard to the public and the service in the territory of the Republic of Mexico.

ARTICLE XI.

The messages exchanged between the two countries, provided always that the same be sent from and addressed to some point within the territory of the other, shall be classified thus: OFFICIAL. PRIVATE. SERVICE.

ARTICLE XII.

All messages emanating from the government authorities of either country shall be considered as "Official;" those sent by any private person or corporation, as "Private;" and those exchanged between the two telegraphic administrations, or between the offices of the aforesaid departments on matters relating to the telegraphic service, subject to such rules as may be agreed upon between the two parties, shall be considered as "Service" messages.

ARTICLE XIII.

All the above mentioned messages may, at the option of the sender, be transmitted under one or more of the following headings: Urgent, Collated, Multiple, and Reply paid.

The General Federal Telegraph Department of Mexico and the Postal and Telegraph Department of British Honduras, may, by mutual agreement, establish such other special rulings for messages as may become desirable, in the working of the service between the two countries.

ARTICLE XIV.

"Private" messages shall be paid for in full in strict accordance with the tariffs in force in the telegraph offices of both administrations. An "Official" message which originates from, and is destined for a place within the territories of the high contracting parties shall, so far as it is transmitted on their lines, be given precedence in transmission, and shall always be collated and transmitted as an urgent message, but the tolls in such messages must be paid in cash, in accordance with the respective tariffs, without any extra charge for the collation or precedence given the message. If the "Official" message is destined for another country, *i. e.*, only passing in transit through Mexico, it will not be entitled to any special treatment, and therefore to be charged for as an ordinary private message. "Service" messages to be admitted free of charge, subject always to any rules which may be agreed upon in accordance with the provisions of Article 12.

ARTICLE XV.

The charge for messages passing between Mexico and British Honduras shall be governed by the following regulations:

I. When originating from, and addressed to, any place within the territory of the respective countries:

(a) If the message be dated from a place where there is a Mexican telegraph or telephone office and is filed at said office, and be addressed to a place in British Honduras connected with a colonial government telegraph or telephone line, it must be charged for in accordance with the Federal tariff rates and the Federal regulations in force for the interior service of Mexico from the place where the message is handed in to the place of connection with the lines of British Honduras, plus the tariffs in force in British Honduras.

(b) If a message be dated from a place where there is a government telegraph or telephone office in British Honduras, and be filed at said office, and addressed to any place in the Republic of Mexico connected by Federal telegraph or telephone line, it must be charged for in accordance with the tariff rates for the interior service of British Honduras, from the place where the message is handed in, to the point of connection with the Federal lines of Mexico, plus the charge of the latter country from the aforesaid office of connection to the point of destination.

(c) To the charges mentioned in the two preceding clauses there shall be added any charge for postage, or for the use of any private line, or for both items if it be necessary for the message to pass through the post or over private telephone or telegraph line, or successively through both, in order to reach its final destination.

(d) If the message be dated from a place where there is a Mexican telegraph or telephone office, or a British Honduras telegraph office, and be not actually handed in at the said office, but at an office belonging to a private line, the sender of the message will have to pay, in addition to the charges specified in the three preceding clauses as due to Mexico and British Honduras for a similar message handed in at a Mexican Federal telegraph office, or at a British Honduras government telegraph office, the tolls charged by such private lines for the service rendered.

(e) If at the place of origin there should be no government telegraph or telephone office, either Mexican or British Honduran, as the case may be, the government lines shall only be paid according to the tariff and regulations in force from the place where such messages are handed in for transmission.

(f) Messages which are handed in direct at an office of connection addressed to an office of the other high contracting party, as well as those which are sent from one of the offices of either of the high contracting parties addressed to an office of connection of the other high contracting party, shall pay, over and above the tariff rate from the originating office to the point of destination, an extra charge of five cents United States currency for the first ten words, and one cent United States currency for each additional word, which extra charge shall accrue to the high contracting party whose office makes the charge.

II. Messages despatched over the British Honduras lines for any other country and only passing in transit through Mexico, as well as those sent from other countries to British Honduras under similar conditions, shall for the purpose of transmission be charged from the last office of trans-

mission in Mexico, subject to the regulations and special tariffs which govern the International Telegraph Service of the Republic of Mexico, and they shall be taxed and charged for according to the aforesaid special Mexican regulations and tariffs in addition to the regulations and tariffs of British Honduras.

III. If with a view to evade the payment of a portion of the dues indicated above, it should occur that a message originating at a place within the territory of one of the high contracting parties should be handed in direct at an office of the other, the office at which the message is so handed in shall count and fix the charges on the same strictly on the basis laid down in Rules I and II of the present article, and shall credit the other high contracting party with the share of the charges corresponding hereto in conformity with the said rules, exactly as if the message had been duly handed in at an office of the latter.

ARTICLE XVI.

Each of the high contracting parties shall be at liberty to fix and modify, at its discretion, their rules and tariffs in force on their respective lines, but should communicate these to the other party, and no alteration of such rules shall be effective until one month after the official advice in respect to the same has reached the principal office responsible for the management of the telegraphic service of the other high contracting party. In the interest of the said service, however, every endeavour should be made to render the rules and regulations of both countries simple, uniform, and precise.

ARTICLE XVII.

The Mexican Federal telegraph and telephone offices will collect in Mexican "pesos" the tolls on every message addressed from Mexico to British Honduras from the office of origin in Mexico to its final destination.

The British Honduras telegraph offices will collect in United States currency the tolls of all messages transmitted over their lines addressed to places in Mexico.

The tolls on international messages passing through Mexico under the stipulations of Rule II of Article 15 of this convention, shall be collected in Mexico as well as in British Honduras, as provided for in that regulation and the laws of Mexico bearing on the subject.

ARTICLE XVIII.

For the application in Mexico of the internal tariffs of British Honduras, as well as for the application in British Honduras of the internal tariffs of Mexico, the Mexican "peso" will be considered equal to fifty cents United States currency, during the first year of the operation of this convention.

For the purpose of the application of the special tariff rates in force for the International Service of Mexico, which are referred to in Rule II of the 15th Article, as well as in the 2d paragraph of the 17th Article, the telegraph offices of Mexico as well as those of British Honduras, will proceed as laid down by the law of the former country while such law is in force, and thereafter as may be agreed upon between the two high contracting parties. The balance shown by the account in respect to the said International Service shall be paid in accordance with the above mentioned law, quarterly, as stipulated in the 23d Article of the present convention.

ARTICLE XIX.

The rate of exchange for the liquidation of the accounts between the two high contracting parties after the expiration of the first year of the operation of this convention, for messages sent exclusively from and addressed exclusively to, places within the territories of the aforesaid high contracting parties, shall be fixed annually by mutual agreement between the said high contracting parties.

ARTICLE XX.

The press of the two countries shall, for the purposes of the service between the two countries, be subject to the regulations which may be made by each administration and which these administrations should in due course make known to each other.

As regards the tariff applicable to the aforesaid press service the charge shall be fifty per cent. of those in force for the general public, but the rules governing special messages mentioned in Article 13 shall not apply to these messages.

ARTICLE XXI.

The sender who desires to indicate the route his message should follow must do so in his own handwriting.

When the sender indicates the route the message is to take, the respective telegraph offices shall be bound to comply with his instructions unless the route indicated should be interrupted or known to be overcrowded with work; in such cases the sender shall have no claim against the telegraph department for the use of another route. If on the other hand the sender does not indicate the route, the offices at the point where the routes diverge may determine which route the message shall follow.

When the sender requests to have his telegram transmitted by telegraph to an office which he specifies, and thence to its destination by post, the offices shall comply with his request.

Messages to be forwarded to other countries through the Federal offices connected with the lines of the Western Union Telegraph Company must be addressed "Viâ the Frontier;" those to be transmitted by the Mexican Telegraph Company, "Viâ Galveston."

ARTICLE XXII.

The offices of each line shall collect the full cost of the messages transmitted by them to the other line and shall keep account of the same in the manner decided upon by each administration.

Nevertheless, for the liquidation of accounts between the General Federal Telegraph Department of Mexico and the Postal and Telegraph Department of British Honduras these departments shall settle between themselves the manner in which the accounts are to be rendered.

ARTICLE XXIII.

There shall be a quarterly settlement of accounts in the City of Mexico between the Government of Mexico and that of British Honduras, and the balance shown shall be paid without any delay to the party to whom it is due. To this end the quarterly period shall be so arranged to cover the months of the year as follows:

- 1st Quarter. January, February and March.
- 2nd Quarter. April, May and June.
- 3rd Quarter. July, August and September, and
- 4th Quarter. October, November and December.

ARTICLE XXIV.

The high contracting parties limit their responsibility for the telegraphic service to the refund of the cost of messages which are lost or fail to serve their object, through the fault of the employees of either of the two administrations; but this responsibility only applies to the telegraphic service and not to the telephonic messages forwarded over their lines; neither will they be responsible in any way for messages destined to places beyond their own wires, once such messages have left their lines.

ARTICLE XXV.

In the event of international conflict or grave internal disturbance of the peace, both high contracting parties reserve to themselves the right to suspend totally or partially the telegraphic service which is the object of this convention.

ARTICLE XXVI.

If any doubts or difficulties should arise concerning the meaning or the execution of this convention between the Government of Mexico and that of British Honduras the same shall be decided by mutual agreement between the two high contracting parties, or should this fail, the case must be settled by arbitration, both parties referring the disputed point to the Tribunal of the Hague; except in regard to questions which may arise out of a state of war in which either of the two high contracting parties is concerned.

ARTICLE XXVII.

This convention shall come into force as soon as it shall be ratified by both governments and the ratifications exchanged in this City of Mexico, and shall then remain in force indefinitely until one year after denunciation by one of the high contracting parties.

In witness whereof, the respective plenipotentiaries have signed the present convention, in two originals, and have affixed their seals, in the City of Mexico, the twenty-seventh day of the month of May of the year one thousand nine hundred and ten.

(L. S.) REGINALD TOWER.
(L. S.) ENRIQ. CREEL.

CONVENTION BETWEEN THE UNITED STATES AND NICARAGUA CONCERNING
A NICARAGUAN LOAN.¹

Signed at Washington, June 6, 1911.

[Unratified at the date of publication in the JOURNAL.]

The Republic of Nicaragua, being now established on a firm political and constitutional basis, after eleven months of civil war and after seventeen years of administrative abuses resulting in the illegal diversion of public property and revenue, the accumulation of debts and claims in the hands of both natives and foreigners, and the existence of ruinous and disputed concessions in many of which foreigners are beneficiaries, finds the financial and economic situation of the country in urgent need of radical reconstruction; and believing that this needed reconstruction on account of the circumstances above set forth will be difficult and complicated, especially as it involves the necessity of obtaining a loan adequate in amount yet on terms commensurate with the national resources, the Republic of Nicaragua has indicated its desire for cooperation on the part of the United States for the refunding of its debt and the placing of its finances and administration upon a sound and stable basis with a view to meeting its foreign obligations, and to securing the tranquillity, prosperity, and progress of the country; and the Government of the United States, animated by a desire to promote the peace and prosperous development of all the Central American countries, and appreciating the wish of Nicaragua to contribute to such development by establishing on a firm footing its own material strength; and it being recognized as necessary, in view of the present conditions of Nicaraguan finances and resources, that, to afford efficient and legitimate security and to obtain the special benefits sought, the governments concerned should assume a special relation thereto; and the two governments being convinced that some contract should be negotiated and concluded between the Government of Nicaragua and some competent and reliable American banking group, said contract to afford a beneficial, just, and equitable accomplishment of the purposes in question, have, with these objects in view, named as their plenipotentiaries:

The President of the United States of America, Philander C. Knox, Secretary of State of the United States; and

¹ Confidential Executive B, 62d Cong., 1st Session.

The President of Nicaragua, Dr. Salvador Castrillo, junior, Envoy Extraordinary and Minister Plenipotentiary of the Republic of Nicaragua near the Government of the United States;

Who, having communicated to each other their respective full powers, found in good and due form, have agreed upon the following:

ARTICLE I.

The Government of Nicaragua undertakes to make and negotiate a contract providing for the refunding of its present internal and external debt and the adjustment and settlement of claims, liquidated and unliquidated; for the placing of its finances upon a sound and stable basis; and for the future development of the natural and economic resources of that country. The Government of the United States and Nicaragua will take due note of all the provisions of the said contract when made, and will consult, in case of any difficulties, with a view to the faithful execution of the provisions of said contract, in order that all the benefits to Nicaragua and the security of the loan may at the same time be assured.

ARTICLE II.

The loan which shall be made by the Government of Nicaragua pursuant to the above undertaking shall be secured upon the customs of Nicaragua, and the Government of Nicaragua agrees not to alter the import or export customs duties, or other charges affecting the entry, exit, or transit of goods, during the existence of the loan under the said contract, without consultation and agreement with the Government of the United States.

ARTICLE III.

A full and detailed statement of the operations under this contract shall be submitted by the Fiscal Agent of the loan to the Department of State of the United States and to the Minister of Finance of Nicaragua at the expiration of each twelve months, and at such other times as may be requested by either of the two governments.

ARTICLE IV.

The Government of Nicaragua, so long as the loan exists, will appoint from a list of names to be presented to it by the Fiscal Agent of the loan and approved by the President of the United States of America a collector general of customs, who need not be a Nicaraguan and who shall

administer the customs in accordance with the contract securing said loan, and will give this official full protection in the exercise of his functions. The Government of the United States, should the circumstances require, will in turn afford such protection as it may find requisite.

ARTICLE V.

This convention shall be ratified and the ratifications hereof shall be exchanged at Managua as soon as possible.

In faith whereof, the respective plenipotentiaries have signed the present convention in the English and Spanish languages and have hereunto affixed their seals.

Done in duplicate, at Washington, this sixth day of June, one thousand nine hundred and eleven.

[SEAL.]

PHILANDER C. KNOX.

[SEAL.]

SALVADOR CASTRILLO.

EXTRADITION TREATY BETWEEN THE UNITED KINGDOM AND PARAGUAY.¹

Signed at Asuncion, September 12, 1908; ratifications exchanged at Asuncion, January 30, 1911.

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and His Excellency the President of the Republic of Paraguay, having determined, by common consent, to conclude a treaty for the extradition of criminals, have accordingly named as their plenipotentiaries:

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, Cecil Gosling, Esquire, his Chargé d'Affaires in the Republic of Paraguay;

And His Excellency the President of the Republic of Paraguay, his Excellency Doctor Eusebio Ayala, Minister for Foreign Affairs of the Republic of Paraguay;

Who, after having exhibited to each other their respective full powers and found them in good and due form, have agreed upon the following articles:—

¹ Great Britain, Treaty Series, 1911, No. 19.

ARTICLE I.

The high contracting parties engage to deliver up to each other, under certain circumstances and conditions stated in the present treaty, those persons who, being accused or convicted of any of the crimes or offences enumerated in Article 2, committed in the territory of the one party, shall be found within the territory of the other party.

ARTICLE II.

Extradition shall be reciprocally granted for the following crimes or offences: —

1. Murder, or attempt or conspiracy to murder.
2. Manslaughter.
3. Administering drugs or using instruments with intent to procure the miscarriage of women.
4. Rape.
5. Carnal knowledge, or any attempt to have unlawful carnal knowledge of a girl under the age of 16 years, so far as such acts are punishable by the law of the state upon which the demand is made.
6. Indecent assault.
7. Kidnapping and false imprisonment, child stealing.
8. Abandoning, exposing, or detaining children.
9. Abduction.
10. Bigamy.
11. Maliciously wounding or inflicting grievous bodily harm.
12. Assault occasioning actual bodily harm.
13. Threats, by letter or otherwise, with intent to extort money or other things of value.
14. Arson.
15. Burglary or house-breaking, robbery with violence, larceny, or embezzlement.
16. Fraud by a bailee, banker, agent, factor, trustee, director, member, or public officer of any company.
17. Obtaining money, valuable security, or goods by false pretences; receiving any money, valuable security, or other property, knowing the same to have been stolen or unlawfully obtained.
18. (a) Counterfeiting or altering money, or bringing into circulation counterfeited or altered money.
(b) Knowingly making, without lawful authority, any instrument,

tool, or engine, adapted and intended for the counterfeiting of the coin of the realm.

19. Forgery, or uttering what is forged.

20. Crimes against bankruptcy law.

21. Any malicious act done with intent to endanger the safety of any persons travelling or being upon a railway.

22. Malicious injury to property, if such offence be indictable.

23. Piracy and other crimes or offences committed at sea against persons or things which, according to the laws of the high contracting parties, are extradition offences.

24. Dealing in slaves in such manner as to constitute a criminal offence against the laws of both states.

With regard to the effect of this last paragraph, as the Paraguayan Penal Code does not consider slave-dealing, it is declared by the present treaty that that act is considered as piracy and subject to the penalties of that offence.

Extradition shall also be granted for participation in any of the aforesaid crimes, provided such participation be punishable by the laws of both contracting parties.

Extradition may also be granted at the discretion of the state applied to in respect of any other crime for which, according to the law of both the contracting parties for the time being in force, the grant can be made.

ARTICLE III.

Neither party is obliged to surrender its own subjects or citizens to the other party.

ARTICLE IV.

Extradition shall not take place if the person claimed on the part of His Britannic Majesty's Government, or of the Government of Paraguay, has already been tried and discharged or punished, or is awaiting trial in the territory of the United Kingdom or in the Republic of Paraguay respectively for the crime for which his extradition is demanded.

If the person claimed on the part of His Britannic Majesty's Government, or of the Government of Paraguay, should be awaiting trial or undergoing sentence for any other crime in the territory of the United Kingdom or the Republic of Paraguay respectively, his extradition shall be deferred until after he has been discharged, whether by acquittal or on expiration of sentence, or otherwise.

ARTICLE V.

Extradition shall not be granted if exemption from prosecution or punishment has been acquired by lapse of time, according to the laws of the state applying or applied to.

Neither shall it be granted if, according to the law of either country, the maximum punishment for the offence charged is imprisonment for less than one year.

ARTICLE VI.

A fugitive criminal shall not be surrendered if the offence in respect of which his surrender is demanded is one of a political character, or if he proves that the requisition for his surrender has, in fact, been made with a view to try or punish him for an offence of a political character.

ARTICLE VII.

A person surrendered shall in no case be kept in prison or be brought to trial in the state to which the surrender has been made for any other crime, or on account of any other matters, than those for which the extradition shall have taken place, until he has been restored, or has had an opportunity of returning, to the state by which he has been surrendered.

This stipulation does not apply to crimes committed after the extradition.

ARTICLE VIII.

The requisition for extradition shall be made through the diplomatic agents of the high contracting parties respectively.

The requisition for the extradition of an accused person must be accompanied by a warrant of arrest issued by the competent authority of the state requiring the extradition, and by such evidence as, according to the laws of the place where the accused is found, would justify his arrest if the crime had been committed there.

If the requisition relates to a person already convicted, it must be accompanied by a copy of the judgment passed on the convicted person by the competent court of the state that makes the requisition for extradition.

A sentence passed *in contumacion* is not to be deemed a conviction, but a person so sentenced may be dealt with as an accused person.

ARTICLE IX.

If the requisition for extradition be in accordance with the foregoing stipulations, the competent authorities of the state applied to shall proceed to the arrest of the fugitive.

ARTICLE X.

A criminal fugitive may be apprehended under a warrant issued by any competent authority in either country, on such information or complaint, and such evidence, or after such proceedings, as would, in the opinion of the authority issuing the warrant, justify the issue of a warrant if the crime had been committed or the person convicted in that part of the dominions of the two contracting parties in which the said authority exercises jurisdiction; but the arrested fugitive shall be sent as speedily as possible before the competent magistrate of the country where he is arrested.

He shall, in accordance with this article, be discharged, as well in the Republic of Paraguay as in the United Kingdom, if within the terms of sixty days a requisition for extradition shall not have been made by the diplomatic agent of his country in accordance with the stipulations of this treaty. The same rule shall apply to the cases of persons accused or convicted of any of the crimes or offences specified in this treaty, and committed on the high seas on board any vessel of either country which may come into a port of the other.

ARTICLE XI.

The extradition shall take place only if the evidence be found sufficient according to the laws of the state applied to, either to justify the committal of the prisoner for trial, in case the crime had been committed in the territory of the same state, or if extradition is claimed in respect of an offence of which the fugitive has been already convicted, to prove that the prisoner is the person convicted, and that the crime of which he has been convicted is one in respect of which extradition could, at the time of such conviction, have been granted by the state applied to.

ARTICLE XII.

The extradition of fugitives under the provisions of this treaty shall be carried out in His Britannic Majesty's dominions and in the Republic of Paraguay respectively, in conformity with the laws regulating extradition for the time being in force in the surrendering state.

ARTICLE XIII.

In the examination which they have to make in accordance with the foregoing stipulations, the authorities of the state applied to shall admit as valid evidence the sworn depositions or the affirmations of witnesses taken in the other state, or copies thereof, and likewise the warrants and sentences issued therein, and certificates of, or judicial documents stating, the fact of a conviction, provided the same are authenticated as follows:

1. A warrant must purport to be signed by a judge, magistrate, or officer of the other state.

2. Depositions or affirmations, or the copies thereof, must purport to be certified, under the hand of a judge, magistrate, or officer of the other state, to be the original depositions or affirmations, or to be true copies thereof, as the case may require.

3. A certificate of, or judicial document stating, the fact of a conviction must purport to be certified by a judge, magistrate, or officer of the other state.

4. In every case such warrant, deposition, affirmation, copy, certificate, or judicial document must be authenticated, either by the oath of some witness, or by being sealed with the official seal of the minister of justice, or some other minister of the other state; but any other mode of authentication for the time being permitted by the law of the country where the examination is taken may be substituted for the foregoing.

ARTICLE XIV.

If the individual claimed by one of the high contracting parties in pursuance of the present treaty should be also claimed by one or several other Powers on account of other crimes or offences committed upon their respective territories, his extradition shall be granted to the state whose demand is earliest in date.

ARTICLE XV.

If sufficient evidence for the extradition be not produced within ninety days from the date of the apprehension of the fugitive or within such further time as the state applied to, or the proper tribunal thereof, shall direct, the fugitive shall be set at liberty.

ARTICLE XVI.

All articles seized which were in the possession of the person to be surrendered at the time of his apprehension shall, if the competent

authority of the state applied to for the extradition has ordered the delivery of such articles, be given up when the extradition takes place; and the said delivery shall extend not merely to the stolen articles, but to everything that may serve as a proof of the crime.

ARTICLE XVII.

All expenses connected with extradition shall be borne by the demanding state.

ARTICLE XVIII.

The stipulations of the present treaty shall be applicable to the colonies and possessions of His Britannic Majesty, so far as their local laws permit; for which purpose His Majesty's Government shall be at liberty to make special arrangements with them for the surrender of criminals to Paraguay in accordance with the terms of the treaty.

The requisition for the extradition of a criminal, who has taken refuge in one of the British colonies or possessions, shall be addressed to the governor or chief authority of the same by the senior local Paraguayan consular officer, or failing him, by the ministry for foreign affairs.

The governor, or authority referred to, will deal with the demand in accordance with the provisions of the present treaty, and to the extent permitted by the local laws but he will be at liberty either to surrender the criminal or to refer the case to the British Government.

As regards demands for the surrender of criminal fugitives from British colonies and possessions, they will be governed by the rules laid down in the present treaty.

ARTICLE XIX.

If in any criminal matter pending in any court or tribunal of one of the two countries it is thought desirable to take the evidence of any witness in the other, such evidence may be taken by the judicial authorities in accordance with the laws in force on this subject in the country where the witness may be.

ARTICLE XX.

The present treaty shall come into force ten days after its publication, in conformity with the form prescribed by the laws of the high contracting parties. It may be terminated by either of the high contracting parties by a notice not exceeding one year and not less than six months.

It shall be ratified, and the ratifications shall be exchanged at Asuncion as soon as possible.

In witness whereof the respective plenipotentiaries have signed the same, and affixed thereto their respective seals.

Done in duplicate at Asuncion the twelfth day of September, nineteen hundred and eight.

(L. s.)	CECIL GOSLING.
(L. s.)	EUSEBIO AYALA.

TREATY OF EXTRADITION BETWEEN THE UNITED STATES OF AMERICA AND
EL SALVADOR.¹

Signed at San Salvador, April 18, 1911; ratifications exchanged at San Salvador, July 10, 1911.

The United States of America and the Republic of El Salvador having judged it expedient, with a view to the better administration of justice and the prevention of crime within their respective territories and jurisdictions, that persons charged with or convicted of the crimes and offenses hereinafter enumerated, and being fugitives from justice, should, under certain circumstances, be reciprocally delivered up, have resolved to conclude a treaty for that purpose, and have appointed as their plenipotentiaries —

The President of the United States of America, William Heimké, Envoy Extraordinary and Minister Plenipotentiary of said United States, at San Salvador, and the President of the Republic of El Salvador, Don Manuel Castro Ramírez, Under Secretary of State in the Department of Foreign Relations, who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following articles:

ARTICLE I.

It is agreed that the Government of the United States and the Government of El Salvador shall, upon mutual requisition duly made as herein provided, deliver up to justice any person who may be charged with, or may have been convicted of any of the crimes specified in Article

¹ U. S. Treaty Series, No. 560.

II of this treaty committed within the jurisdiction of one of the contracting parties, who shall seek an asylum or shall be found within the territories of the other, provided that such surrender shall take place only upon such evidence of criminality, as according to the laws of the place where the fugitive or person so charged shall be found, would justify his apprehension and commitment for trial if the crime or offense had been there committed.

ARTICLE II.

Persons shall be delivered up according to the provisions of this treaty, who shall have been charged with or convicted of any of the following crimes:

1. Murder, comprehending the crimes designated by the terms of paricide, assassination, manslaughter when voluntary; poisoning or infanticide.
2. The attempt to commit murder.
3. Rape, abortion, carnal knowledge of children under the age of twelve years.
4. Mayhem and other wilful mutilation causing disability or death.
5. Bigamy.
6. Arson.
7. Wilful and unlawful destruction or obstruction of railroads, which endangers human life.
8. Crimes committed at sea:
 - (a) Piracy, as commonly known and defined by the law of nations, or by statute;
 - (b) Wrongfully sinking or destroying a vessel at sea or attempting to do so;
 - (c) Mutiny or conspiracy by two or more members of the crew or other persons on board of a vessel on the high seas, for the purpose of rebelling against the authority of the captain or commander of such vessel, or by fraud or violence taking possession of such vessel;
 - (d) Assault on board ships upon the high seas with intent to do bodily harm.
9. Burglary, defined to be the act of breaking into and entering the house of another in the night time with intent to commit a felony therein.
10. The act of breaking into and entering the offices of the government and public authorities, or the offices of banks, banking houses, savings banks, trust companies, insurance companies, or other buildings not dwellings, with intent to commit a felony therein.

11. Robbery, defined to be the act of feloniously and forcibly taking from the person of another, goods or money by violence or by putting him in fear.

12. Forgery or the utterance of forged papers.

13. The forgery or falsification of the official acts of the government or public authority, including courts of justice, or the uttering or fraudulent use of any of the same.

14. The fabrication of counterfeit money, whether coin or paper, counterfeit titles or coupons of public debt, created by national, state, provincial, territorial, local or municipal governments, banknotes or other instruments of public credit, counterfeit seals, stamps, dies and marks of state or public administrations, and the utterance, circulation or fraudulent use of the above mentioned objects.

15. Embezzlement or criminal malversation committed within the jurisdiction of one or the other party by public officers or depositaries, where the amount embezzled exceeds two hundred dollars (or Salvadorean equivalent).

16. Embezzlement by any person or persons hired, salaried or employed, to the detriment of their employers or principals, when the crime or offence is punishable by imprisonment or other corporal punishment by the laws of both countries, and where the amount embezzled exceeds two hundred dollars (or the Salvadorean equivalent).

17. Kidnapping of minors or adults, defined to be the abduction or detention of a person or persons, in order to exact money from them or their families, or for any other unlawful end.

18. Larceny, defined to be the theft of effects, personal property, horses, cattle, or live stock, or money, of the value of twenty-five dollars (or Salvadorean equivalent) or more, or receiving stolen property, of that value, knowing it to be stolen.

19. Obtaining money, valuable securities or other property by false pretences or receiving any money, valuable securities or other property, knowing the same to have been unlawfully obtained, where the amount of money or the value of the property so obtained or received exceeds two hundred dollars (or Salvadorean equivalent).

20. Perjury or subornation of perjury.

21. Fraud or breach of trust by a bailee, banker, agent, factor, trustee, executor, administrator, guardian, director or officer of any company or corporation, or by any one in any fiduciary position, where the amount of money or the value of the property misappropriated exceeds two hundred dollars (or Salvadorean equivalent).

22. Crimes and offences against the laws of both countries for the suppression of slavery and slave trading.

23. The extradition is also to take place for participation in any of the aforesaid crimes as an accessory before or after the fact, provided such participation be punishable by imprisonment by the laws of both contracting parties.

ARTICLE III.

The provisions of this treaty shall not import claim of extradition for any crime or offence of a political character, nor for acts connected with such crimes or offences; and no person surrendered by or to either of the contracting parties in virtue of this treaty shall be tried or punished for a political crime or offence. When the offence charged comprises the act either of murder or assassination or of poisoning, either consummated or attempted, the fact that the offence was committed or attempted against the life of the sovereign or head of a foreign state, or against the life of any member of his family, shall not be deemed sufficient to sustain that such a crime or offence was of a political character, or was an act connected with crimes or offences of a political character.

If any question shall arise as to whether a case comes within the provisions of this article, the decisions of the authorities of the government on which the demand for surrender is made, or which may have granted the extradition shall be final.

ARTICLE IV.

No person shall be tried or punished for any crime or offence other than that for which he was surrendered without the consent of the government which surrendered him, which may, if it think proper, require the production of one of the documents mentioned in Article XI of this treaty.

ARTICLE V.

A fugitive criminal shall not be surrendered under the provisions hereof, when, from lapse of time or other lawful cause, according to the laws of the place within the jurisdiction of which the crime was committed, the criminal is exempt from prosecution or punishment for the offence for which the surrender is asked.

ARTICLE VI.

If a fugitive criminal whose surrender may be claimed pursuant to the stipulations hereof, be actually under prosecution, out on bail or in

custody, for a crime or offence committed in the country where he has sought asylum, or shall have been convicted thereof, his extradition may be deferred until such proceedings be determined, and, until he shall have been set at liberty in due course of law.

ARTICLE VII.

If a fugitive criminal claimed by one of the parties hereto, shall be also claimed by one or more Powers pursuant to treaty provisions, on account of crimes committed within their jurisdiction, such criminal shall be delivered to that state whose demand is first received.

ARTICLE VIII.

Under the stipulations of this treaty, neither of the contracting parties shall be bound to deliver up its own citizens.

ARTICLE IX.

The expense of the arrest, detention, examination and transportation of the accused shall be paid by the government which has preferred the demand for extradition.

ARTICLE X.

Everything found in the possession of the fugitive criminal at the time of his arrest, whether being the proceeds of the crime or offence, or which may be material as evidence in making proof of the crime, shall, so far as practicable, according to the laws of either of the contracting parties, be delivered up with his person at the time of the surrender. Nevertheless the rights of a third party with regard to the articles aforesaid shall be duly respected.

ARTICLE XI.

The stipulations of this treaty shall be applicable to all territory wherever situated, belonging to either of the contracting parties or in the occupancy and under the control of either of them, during such occupancy or control.

Requisitions for the surrender of fugitives from justice shall be made by the respective diplomatic agents of the contracting parties. In the event of the absence of such agents from the country or its seat of government, requisition may be made by superior consular officers.

It shall be competent for such diplomatic or superior consular officers

to ask and obtain a mandate or preliminary warrant of arrest for the person whose surrender is sought, whereupon the judges and magistrates of the two governments shall respectively have power and authority, upon complaint made under oath, to issue a warrant for the apprehension of the person charged, in order that he or she may be brought before such judge or magistrate, that the evidence of criminality may be heard and considered; and if, on such hearing, the evidence be deemed sufficient to sustain the charge, it shall be the duty of the examining judge or magistrate to certify the same to the proper executive authority, that a warrant may issue for the surrender of the fugitive.

The extradition of fugitives under the provisions of this treaty shall be carried out in the United States and in the Republic of El Salvador, respectively, in conformity with the laws regulating extradition for the time being in force in the state in which the request for the surrender is made.

ARTICLE XII.

Where the arrest and detention of a fugitive in the United States are desired on telegraphic or other information in advance of the presentation of formal proof, complaint on oath, as provided by the statutes of the United States, shall be made by an agent of the Government of El Salvador before a judge or magistrate authorized to issue warrants of arrest in extradition cases.

When, under the provisions of this article, the arrest and detention of a fugitive are desired in the Republic of El Salvador, the proper course shall be to apply to the foreign office, which will immediately cause the necessary steps to be taken in order to secure the provisional arrest or detention of the fugitive.

The provisional detention of a fugitive shall cease and the prisoner be released if a formal requisition for his surrender accompanied by the necessary evidence of his guilt has not been produced under the stipulations of this treaty, within two months from the date of his provisional arrest or detention.

ARTICLE XIII.

In every case of a request made by either of the two contracting parties for the arrest, detention or extradition of fugitive criminals, the legal officers or fiscal ministry of the country where the proceedings of extradition are had, shall assist the officers of the government demanding the extradition before the respective judges and magistrates, by every legal

means within their or its power; and no claim whatever for compensation for any of the services so rendered shall be made against the government demanding the extradition, provided however, that any officer or officers of the surrendering government so giving assistance, who shall, in the usual course of their duty, receive no salary or compensation other than specific fees for services performed, shall be entitled to receive from the government demanding the extradition the customary fees for the acts or services performed by them, in the same manner and to the same amount as though such acts or services had been performed in ordinary criminal proceedings under the laws of the country of which they are officers.

ARTICLE XIV.

The conveyance through the territories of either of the high contracting parties of any person, not being a citizen of the country to be passed through, extradited by a third Power to either of them for any of the crimes specified in this treaty, will be permitted if, in the case of the United States, the authority of the Secretary of State and, in that of El Salvador, that of the Minister for Foreign Relations, is first obtained.

ARTICLE XV.

This treaty shall take effect from the day of the exchange of the ratifications thereof; but either contracting party may at any time terminate the same on giving to the other six months' notice of its intention to do so.

The ratifications of the present treaty shall be exchanged at San Salvador or at Washington as soon as possible.

In witness whereof, the respective plenipotentiaries have signed the above articles, and have hereunto affixed their seals.

Done in duplicate, at the City of San Salvador, this eighteenth day of April, one thousand nine hundred and eleven.

(SEAL.)

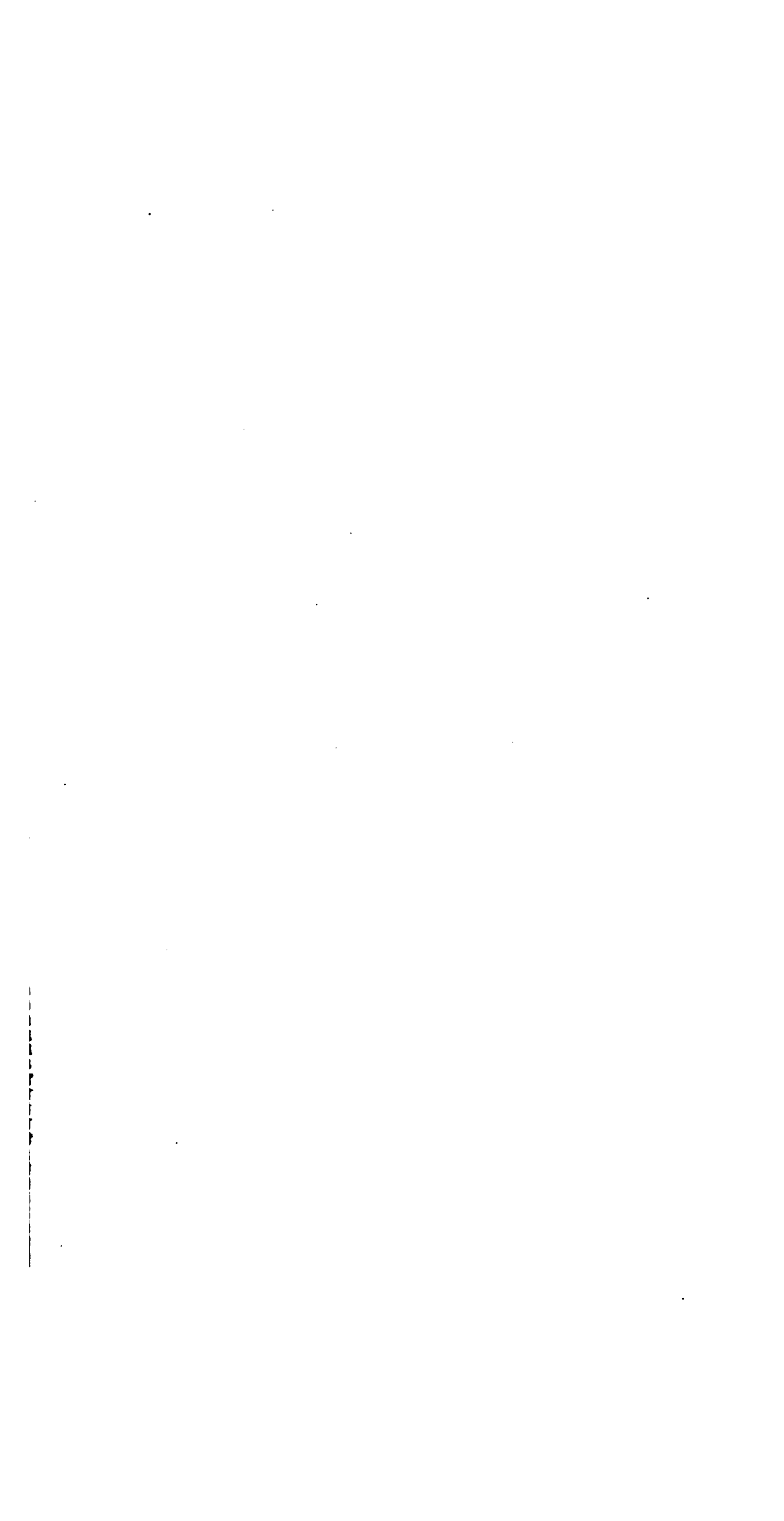
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WILLIAM HEIMKÉ.

M. CASTRO R.

INDEX

307 and 308



INDEX

ADDITIONAL protocol to International Prize Court Convention. <i>September 19, 1910</i>	95
——. Resolution of United States Senate consenting to ratification of. <i>February 15, 1911</i>	99
ALLIANCE , agreement of. Japan—Great Britain. <i>July 13, 1911</i>	276
ARBITRATION . Art. XXI of Treaty of Guadalupe Hidalgo between Mexico and United States providing for. <i>February 2, 1848</i>	125
ARBITRATION before Permanent Court at The Hague, suggestions concerning procedure for, made by members of the tribunal in the Pious Fund case. <i>October 14, 1902</i>	73
ARBITRATION CONVENTIONS:	
Argentina Republic—Italy. <i>September 18, 1907</i>	171
Austria—Hungary—Great Britain. <i>July 16, 1910</i>	161
Brazil—Great Britain. <i>June 18, 1909</i>	235
Brazil—United States. <i>January 23, 1909</i>	236
France—Great Britain (Savarkar case.) <i>October 25, 1910</i>	37
France—United States. <i>August 3, 1911</i>	249
Great Britain—Netherlands. <i>February 15, 1905</i>	126
——. Treaty renewing. <i>December 16, 1909</i>	125
Great Britain—United States. <i>January 11, 1897</i> . (Unratified)	88
——. <i>August 3, 1911</i>	253
——. <i>August 18, 1910</i> . (Pecuniary claims.)	257
International American Conference, Fourth. (Pecuniary claims.) <i>August 11, 1910</i>	17
Mexico—United States. (Chamizal case.) <i>June 24, 1910</i>	117
——. Supplementary protocol. <i>December 5, 1910</i>	120
Russia—Spain. <i>August 2/15, 1910</i>	217
ARGENTINE REPUBLIC—ITALY . General arbitration treaty. <i>September 18, 1907</i> . 171	
AUSTRIA HUNGARY—GREAT BRITAIN . Arbitration convention. <i>July 16, 1910</i> . 161	
BIBLIOGRAPHICAL offices, national. Resolution of Fourth International American Conference recommending establishment of. <i>August 20, 1910</i>	36
BOUNDARY convention. Great Britain—Liberia. <i>January 21, 1911</i>	279
——. United States—Mexico. <i>March 1, 1889</i>	121
BRAZIL—COLOMBIA . Treaty of commerce and river navigation. <i>August 21, 1908</i>	79
BRAZIL—GREAT BRITAIN . Arbitration convention. <i>June 18, 1909</i>	235
BRAZIL—UNITED STATES . Arbitration convention. <i>January 23, 1909</i>	236
BUILDINGS for embassies, etc., abroad, Act for purchase of. <i>February 17, 1911</i>	128

BUREAU of American Republics, Resolution of Fourth International American Conference concerning reorganization of. <i>August 11, 1910</i>	7
———. Proposed convention for. <i>August 11, 1910</i>	14
CARNEGIE, Andrew, Resolution of Fourth International American Conference directing that a gold medal be presented to. <i>August 4, 1910</i>	4
CENSUS, Resolution of Fourth International American Conference recommending taking of. <i>August 20, 1910</i>	31
CHAMIZAL case. Treaty of arbitration between Mexico-United States. <i>June 24, 1910</i> ..	117
———. Supplementary protocol. <i>December 5, 1910</i>	120
CHINA. Decree convening the parliament. <i>November 4, 1910</i>	39
CHINA-GREAT BRITAIN. Agreement relating to opium. <i>May 8, 1911</i>	238
COLOMBIA-BRAZIL. Treaty of commerce and river navigation. <i>August 21, 1908</i> ..	79
COMMERCE and navigation, treaties of:	
Brazil-Colombia. <i>August 21, 1908</i>	79
Great Britain-Japan. <i>April 3, 1911</i>	177
———. <i>July 16, 1894</i>	187
Japan-United States. <i>February 21, 1911</i>	100
———. <i>November 22, 1894</i>	106
COMMERCE, custom-house and statistics, Resolution of Fourth International American Conference recommending establishment of section of, by Pan-American Union. <i>August 20, 1910</i>	29
COMMERCIAL statistics, Resolution of Fourth International American Conference concerning the gathering of. <i>August 20, 1910</i>	30
COMMERCIAL travelers' samples. Declarations concerning. United States-Great Britain. <i>December 3-8, 1910</i>	226
CONSULAR convention. United States-Sweden. <i>June 1, 1910</i>	227
CONSULAR documents, Resolution of Fourth International American Conference relative to. <i>August 20, 1910</i>	25
CONSULAR officers of the United States, List of. <i>March 20, 1911</i>	133
CONVENTIONS of Fourth International American Conference, Buenos Aires. <i>July 12-August 20, 1910</i>	1-36
CUSTOM-HOUSE, commerce and statistics, Resolution of Fourth International American Conference recommending establishment of section of, by Pan-American Union. <i>August 20, 1910</i>	29
CUSTOM-HOUSE regulation, Resolution of Fourth International American Conference concerning. <i>August 20, 1910</i>	28
DIPLOMATIC service of the United States, List of officers in. <i>March 20, 1911</i> .	129
EMBASSY, etc., buildings, Act for purchase of. <i>February 17, 1911</i>	128
EXCHANGE of professors and students, Resolution of Fourth International American Conference concerning. <i>August 18, 1910</i>	22
EXTRADITION treaties:	
France-United States. <i>January 6, 1909</i>	243
Germany-Great Britain. <i>January 30, 1911</i>	165
Paraguay-Great Britain. <i>September 12, 1908</i>	293
Spain-Greece. <i>May 7/20, 1910</i> ..	219
United States-Salvador. <i>April 18, 1911</i>	300

FISHERIES arbitration. <i>See</i> North Atlantic Coast Fisheries Arbitration.	
FOURTH International American Conference. General Record of Proceedings.	
<i>July 12-August 20, 1910</i>	1
FRANCE. Decree establishing office of foreign legislation and international law. <i>July 21, 1910</i>	83
FRANCE-GREAT BRITAIN. Agreement to arbitrate Savarkar case. <i>October 25, 1910</i>	37
——. Convention concerning workmen's compensation for accidents. <i>July 3, 1909</i>	162
FRANCE-UNITED STATES. Extradition treaty. <i>January 6, 1909</i>	243
——. General arbitration treaty. <i>August 3, 1911</i>	249
FUR seals. Convention between Great Britain, Japan, Russia and United States for protection of, in North Pacific Ocean. <i>July 7, 1911</i>	267
GERMANY-GREAT BRITAIN. Convention for extradition between protectorates. <i>January 30, 1911</i>	165
GREAT BRITAIN-AUSTRIA-HUNGARY. Arbitration convention. <i>July 16, 1910</i> .	161
GREAT BRITAIN-BRAZIL. Arbitration convention. <i>June 18, 1909</i>	235
GREAT BRITAIN-CHINA. Agreement relating to opium. <i>May 8, 1911</i>	238
GREAT BRITAIN-FRANCE. Agreement to arbitrate Savarkar case. <i>October 25, 1910</i>	37
——. Convention concerning workmen's compensation for accidents. <i>July 3, 1909</i>	162
GREAT BRITAIN-GERMANY. Convention for extradition between protectorates. <i>January 30, 1911</i>	165
GREAT BRITAIN-JAPAN. Agreement of alliance. <i>July 13, 1911</i>	276
——. Treaty of commerce and navigation. <i>April 3, 1911</i>	177
——. <i>July 16, 1894</i>	187
GREAT BRITAIN-LIBERIA. Boundary convention. <i>January 21, 1911</i>	279
GREAT BRITAIN-MEXICO. Convention respecting telegraphic communication with British Honduras. <i>May 27, 1910</i>	281
GREAT BRITAIN-NETHERLANDS. Arbitration convention. <i>February 15, 1905</i> .	126
——. Treaty renewing. <i>December 16, 1909</i>	125
GREAT BRITAIN-PARAGUAY. Extradition treaty. <i>September 12, 1908</i>	293
GREAT BRITAIN-UNITED STATES. Arbitration of pecuniary claims. <i>August 18, 1910</i>	257
——. Declarations concerning commercial travelers' samples. <i>December 3-8, 1910</i>	226
——. General arbitration treaty. <i>August 3, 1911</i>	253
——. Minutes of conferences as to application of award in North Atlantic Coast Fisheries Arbitration to regulations of Canada and Newfoundland. <i>January 12, 1911</i>	93
——. Minutes of conferences as to objections of United States to laws and fishery regulations of Canada. <i>January 14, 1911</i>	94
——. Unratified arbitration treaty. <i>January 11, 1897</i>	88
GREAT BRITAIN-UNITED STATES-JAPAN-RUSSIA. Convention for protection of fur seals in North Pacific Ocean. <i>July 7, 1911</i>	267
GREECE-SPAIN. Extradition treaty. <i>May 7/20, 1910</i>	219

GUADALUPE HIDALGO, Treaty of. Art. XXI. <i>February 2, 1848</i>	125
HAY memorandum concerning Panama Canal.....	199
HONDURAS-UNITED STATES. Convention concerning loan. <i>January 10, 1911</i>	274
INDUSTRIAL drawings and models and patents of invention, Convention of Fourth International American Conference for protection of. <i>August 20, 1910</i>	23
INTERNATIONAL American Conference, Fourth. General Record of Proceedings. <i>July 12-August 20, 1910</i>	1
INTERNATIONAL arrangement relative to the repression of the circulation of obscene publications. <i>May 4, 1910</i>	167
INTERNATIONAL convention for protection of fur seals in North Pacific Ocean. <i>July 7, 1911</i>	267
INTERNATIONAL law office, French decree establishing. <i>July 21, 1910</i>	83
INTERNATIONAL Marine Conference, Final Act of. <i>October 16-December 31, 1889</i>	42
INTERNATIONAL Prize Court Convention, Additional protocol to. <i>September 19, 1910</i>	95
INTERNATIONAL Prize Court Convention. Resolution of United States Senate consenting to ratification of. <i>February 15, 1911</i>	99
ITALY-ARGENTINE REPUBLIC. General arbitration treaty. <i>September 18, 1907</i>	171
JAPAN. Law relating to land ownership by foreigners. <i>April 13, 1910</i>	175
JAPAN-GREAT BRITAIN. Agreement of alliance. <i>July 13, 1911</i>	276
———. Treaty of commerce and navigation. <i>April 3, 1911</i>	177
———. <i>July 16, 1894</i>	187
JAPAN-UNITED STATES. Treaty of commerce and navigation. <i>February 21, 1911</i>	100
———. <i>November 22, 1894</i>	106
JAPAN-UNITED STATES-GREAT BRITAIN-RUSSIA. Convention for protection of fur seals in North Pacific Ocean. <i>July 7, 1911</i>	267
LAND ownership by foreigners in Japan, Law relating to. <i>April 13, 1910</i> ..	175
LANDSOWNE memorandum concerning Panama Canal. <i>August 3, 1901</i>	209
LIBERIA-GREAT BRITAIN. Boundary convention. <i>January 21, 1911</i>	279
LITERARY and artistic property, Convention concerning rights of, adopted by Fourth International American Conference. <i>August 11, 1910</i>	11
LOAN convention. Honduras-United States. <i>January 10, 1911</i>	274
———. Nicaragua-United States. <i>June 6, 1911</i>	291
MEXICO-GREAT BRITAIN. Convention respecting telegraphic communication with British Honduras. <i>May 27, 1910</i>	281
MEXICO-UNITED STATES. Art. XXI of treaty of Guadalupe Hidalgo. <i>February 2, 1848</i>	125
———. Boundary convention. <i>March 1, 1889</i>	121
———. Treaty for arbitration of Chamizal case. <i>June 24, 1910</i>	117
———. Supplementary protocol. <i>December 5, 1910</i>	120
MARINE Conference, International, Final Act of. <i>October 16-December 31, 1889</i>	42
MARITIME Conference. <i>See</i> International Marine Conference.	

NETHERLANDS—GREAT BRITAIN. Arbitration convention. <i>February 15, 1905.</i>	126
———. Treaty renewing. <i>December 16, 1909.</i>	125
NICARAGUA—UNITED STATES. Loan convention. <i>June 6, 1911.</i>	291
NORTH Atlantic Coast Fisheries Arbitration. Minutes of conferences between Great Britain and United States as to objections of United States to laws and fishery regulations of Canada. <i>January 14, 1911.</i>	94
———. Minutes of conferences as to application of award in, to regulations of Canada and Newfoundland. <i>January 12, 1911.</i>	93
NOTE from the members of the arbitral tribunal in the Pious Fund case making some suggestions as to the conduct of future arbitrations. <i>October 14, 1902.</i>	73
OBSCENE publications, international arrangement relative to the repression of the circulation of. <i>May 4, 1910.</i>	167
OLNEY—PAUNCEFOTE treaty of arbitration. <i>January 11, 1897.</i>	88
OPIUM. Agreement relating to. Great Britain—China. <i>May 8, 1911.</i>	238
OTTER. <i>See</i> Sea Otter.	
PAN-AMERICAN Conference. <i>See</i> International American Conference.	
PAN-AMERICAN Products Exhibition, Resolution of Fourth International American Conference concerning. <i>August 4, 1910.</i>	4
PAN-AMERICAN Railroad, Resolutions of Fourth International American Conference concerning. <i>August 11, 1910.</i>	11, 36
PAN-AMERICAN Union, Resolution of Fourth International American Conference providing for reorganization of. <i>August 11, 1910.</i>	7
———. Proposed convention. <i>August 11, 1910.</i>	14
PANAMA Canal. Hay memorandum concerning negotiations.	199
———. Lansdowne memorandum. <i>August 3, 1901.</i>	209
PARAGUAY—GREAT BRITAIN. Extradition treaty. <i>September 12, 1908.</i>	293
PATENTS of invention and industrial drawings and models, Convention of Fourth International American Conference concerning. <i>August 20, 1910.</i>	23
PAUNCEFOTE—OLNEY arbitration treaty. <i>January 11, 1897.</i>	88
PEACE, international, Pontifical brief on. <i>June 11, 1911.</i>	214
PECUNIARY claims, Treaty for arbitration of. United States—Great Britain. <i>August 18, 1910.</i>	257
PECUNIARY claims, arbitration convention adopted at Fourth International American Conference. <i>August 11, 1910.</i>	17
PERMANENT Court of Arbitration, suggestions concerning procedure for, made by members of the tribunal in the Pious Fund case. <i>October 14, 1902.</i>	73
PONTIFICAL brief on international peace. <i>June 11, 1911.</i>	214
PRIZE Court Convention, International, Additional protocol to. <i>September 19, 1910.</i>	95
PRIZE Court Convention, International, Resolution of United States Senate consenting to ratification of. <i>February 15, 1911.</i>	99
PROCEDURE before Permanent Court of Arbitration at The Hague, suggestions made by members of arbitral tribunal in Pious Fund case concerning. <i>October 14, 1902.</i>	73
PRODUCTS Exhibition, Pan-American, Resolution of Fourth International American Conference concerning. <i>August 4, 1910.</i>	4

REORGANIZATION of the Union of American Republics, Resolution of the Fourth International American Conference relative to the. <i>August 11, 1910</i>	7
———. Proposed convention. <i>August 11, 1910</i>	14
RESOLUTIONS of the Fourth International American Conference, Buenos Aires. <i>July 12-August 20, 1910</i>	1-36
RUSSIA-SPAIN. Convention of obligatory arbitration. <i>August 2/15, 1910</i>	217
RUSSIA-UNITED STATES-JAPAN-GREAT BRITAIN. Convention for protection of fur seals in North Pacific Ocean. <i>July 7, 1911</i>	267
SALVADOR-UNITED STATES. Extradition treaty. <i>April 18, 1911</i>	300
SANITARY convention, international, Resolution of Fourth International American Conference concerning. <i>August 18, 1910</i>	21
SAVARKAR case, Agreement between Great Britain and France to arbitrate. <i>October 25, 1910</i>	37
SEA otter. International convention for protection of in North Pacific Ocean. <i>July 7, 1911</i>	267
SEAL. See Fur Seal.	
SPAIN-GREECE. Extradition treaty. <i>May 7/20, 1910</i>	219
SPAIN-RUSSIA. Convention of obligatory arbitration. <i>August 2/15, 1910</i>	217
STATISTICS, commerce and custom-house, Resolution of Fourth International American Conference recommending establishment of section of, by Pan-American Union. <i>August 20, 1910</i>	29
STATISTICS, commercial, Resolution of Fourth International American Conference concerning the gathering of. <i>August 20, 1910</i>	30
STEAMSHIP communication, Resolution of Fourth International American Conference concerning. <i>August 12, 1910</i>	19
SWEDEN-UNITED STATES. Consular convention. <i>June 1, 1910</i>	227
TELEGRAPHIC convention between Great Britain and Mexico. <i>May 27, 1910</i>	281
TRADE and commercial marks, Convention adopted by Fourth International American Conference for protection of. <i>August 20, 1910</i>	31
UNION of American Republics, Resolution of Fourth International American Conference concerning reorganization of. <i>August 11, 1910</i>	7
———. Proposed convention. <i>August 11, 1910</i>	14
UNITED STATES. Act for purchase of embassy, etc., buildings. <i>February 17, 1911</i>	128
———. List of consular officers of. <i>March 20, 1911</i>	133
———. List of officers in diplomatic service of. <i>March 20, 1911</i>	129
———. Resolution of Senate consenting to ratification of International Prize Court Convention and Additional Protocol. <i>February 15, 1911</i>	99
UNITED STATES-BRAZIL. Arbitration convention. <i>January 23, 1909</i>	236
UNITED STATES-FRANCE. Extradition treaty. <i>January 6, 1909</i>	243
———. General arbitration treaty. <i>August 3, 1911</i>	249
UNITED STATES-GREAT BRITAIN. Arbitration of pecuniary claims. <i>August 18, 1910</i>	257
———. Declarations concerning commercial travelers' samples. <i>December 3-8, 1910</i>	226
———. General arbitration treaty. <i>August 3, 1911</i>	253

UNITED STATES—GREAT BRITAIN. Minutes of conferences as to application of award in North Atlantic Coast Fisheries Arbitration to regulations of Canada and Newfoundland. <i>January 12, 1911</i>	93
———. Minutes of conferences as to objections of United States to laws and fishery regulations of Canada. <i>January 14, 1911</i>	94
———. Unratified arbitration treaty. <i>January 11, 1897</i>	88
UNITED STATES—HONDURAS. Convention concerning loan. <i>January 10, 1911</i> .	274
UNITED STATES—JAPAN. Treaty of commerce and navigation. <i>February 21, 1911</i>	100
———. <i>November 22, 1894</i>	106
UNITED STATES—MEXICO. Arbitration of Chamizal case. <i>June 24, 1910</i>	117
———. Supplementary protocol. <i>December 5, 1910</i>	120
———. Art. XXI of treaty of Guadalupe Hidalgo. <i>February 2, 1848</i>	125
———. Boundary convention. <i>March 1, 1889</i>	121
UNITED STATES—NICARAGUA. Loan convention. <i>June 6, 1911</i>	291
UNITED STATES—RUSSIA—GREAT BRITAIN—JAPAN. Convention for preservation of fur seals in North Pacific Ocean. <i>July 7, 1911</i>	267
UNITED STATES—SALVADOR. Extradition treaty. <i>April 18, 1911</i>	300
UNITED STATES—SWEDEN. Consular convention. <i>June 1, 1910</i>	227
VOCABULARY of expressions and synonyms used in customs service of America, Resolution of Fourth International American Conference recommending preparation of, by Pan-American Union. <i>August 20, 1910</i>	29
WORKMEN'S compensation for accidents. Convention between France—Great Britain. <i>July 3, 1909</i>	162









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